

Legislative Council Committees

# **Annual Report 2002**

Volume 2

Legislative Council  
Committees – Report on  
Performance

Ordered to be printed November 2002

New South Wales Parliamentary Library cataloguing-in-publication data:

**New South Wales. Parliament. Legislative Council.**

Legislative Council Committees: Report on Performance 2001/Legislative Council. [Sydney, N.S.W.]: The Council, 2002. - ix, 140 leaves; 30 cm. (Parliamentary Paper; No. 190) (Report 2, October 2002/Legislative Council)

“Ordered to be printed”.

ISSN 0-1324-1974

1. New South Wales. Parliament. Legislative Council
2. Parliamentary Committees—New South Wales (Parliamentary thesaurus term)
  - I. Title
  - II. Series: Parliamentary Paper (New South Wales. Parliament); No. 190
  - III. Series: New South Wales. Parliament. Legislative Council. Report; 2001/2

328.944071

## Clerk's Foreword

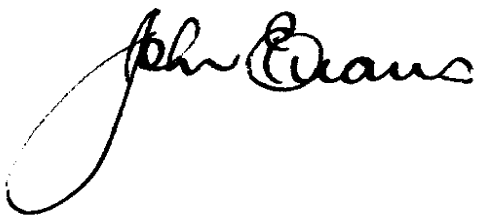
This report contains information on the performance of Legislative Council Committees during the 2001-2002 financial year, forming volume two of the Legislative Council's 2001-2002 annual report. The fourth report on the activity of committees to be produced and tabled in the House, it is evidence of the ongoing commitment of the Legislative Council to provide meaningful performance information about committees.

The information focuses on the measurable activities and outputs of the Legislative Council Committees. The Legislative Council however, continues to seek and develop effective methods of reporting on the outcomes of committee work.

The level of committee activity has placed a considerable pressure on Members and staff as they frequently worked across several concurrent committee inquiries, often with short reporting deadlines. I note that the number inquiries referred to Legislative Council Committees continues to increase in a steady trend. The number of reports tabled has also increased significantly in the last year, reflecting the conclusion to some lengthy inquiries. I anticipate the tabling of more reports in the following year as inquiries conclude prior to the News South Wales State Election.

I would like to acknowledge and thank all of the Legislative Council's committee staff for their commitment to excellence in their work, which is reflected in this report. I am aware that this has often required long hours and placing work above personal needs and commitments.

This report is also available on the Parliament of New South Wales website at [www.parliament.nsw.gov.au](http://www.parliament.nsw.gov.au). Feedback is also sought and can be provided to the Clerk Assistant Committees—Warren Cahill by telephone on 02 9230 2464 or email [warrencahill@parliament.nsw.gov.au](mailto:warrencahill@parliament.nsw.gov.au).



John Evans  
Clerk of the Parliaments

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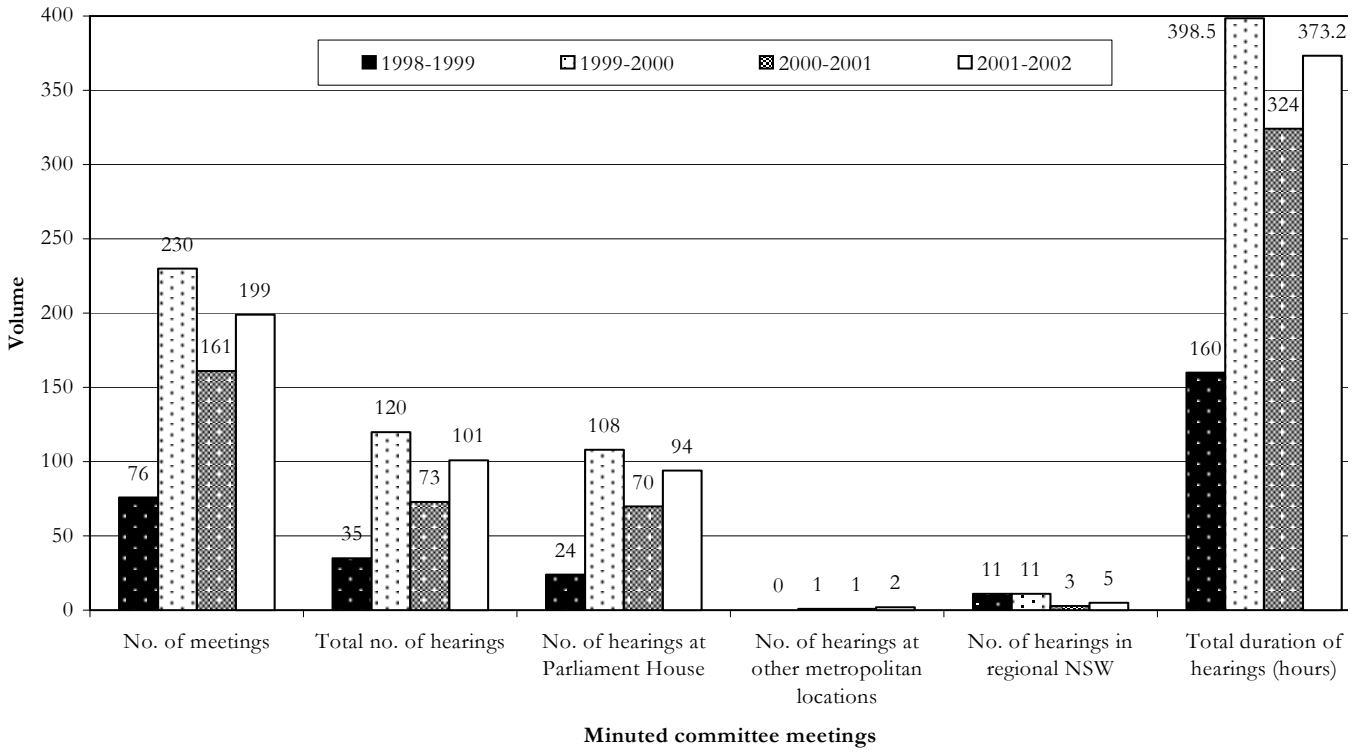


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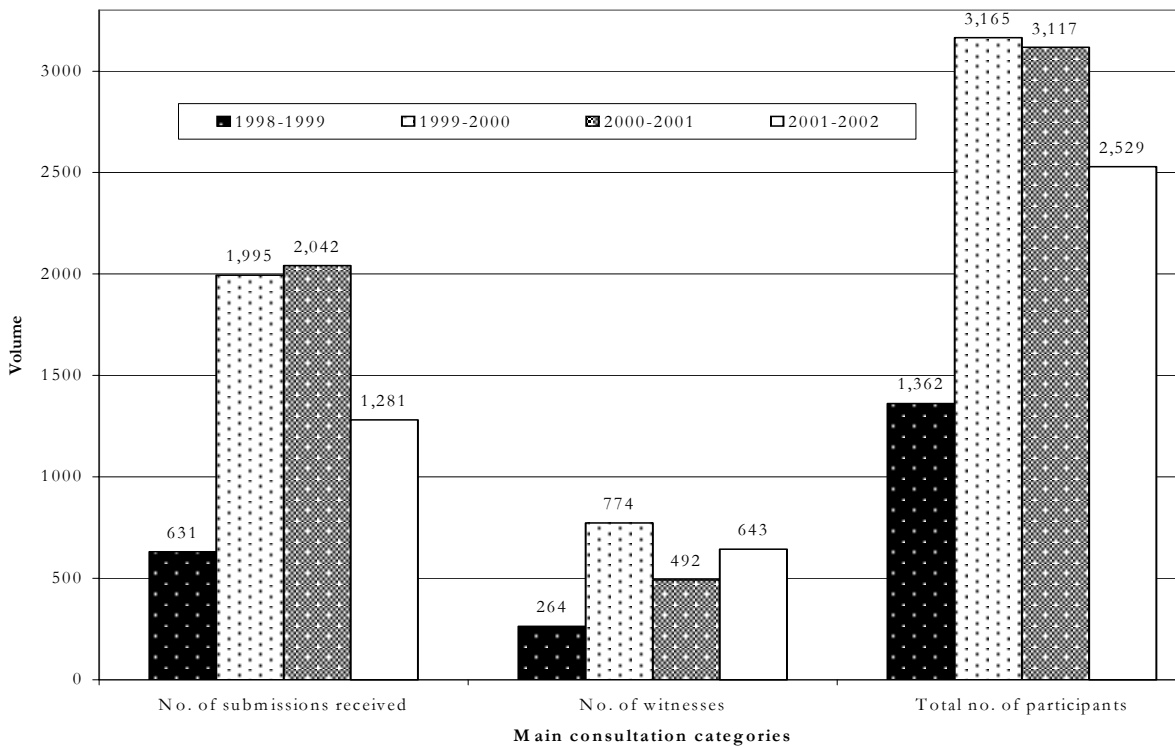
## Statistical summary – All Legislative Council Committees

	1998-1999	1999-2000	2000-2001	2001-2002
<b>Number of inquiries</b>	21	37	42	47
Reports tabled	20	25	20	27
Recommendations	298	208	228	202
Issues for further consideration	–	–	–	17
Meetings	76	230	161	199
<b>Public consultation</b>				
Number of submissions received	631	1,995	2,042	1,281
Number of hearings	35	120	73	101
Location – Parliament House	24	108	70	94
– other metropolitan	–	1	1	2
– regional NSW	11	11	3	5
Total duration	160	398.5	324	373.5
Number of witnesses	264	774	492	643
<b>Participants in other forms of consultation</b>				
Seminars	185	–	–	–
Round table meetings	30	–	–	–
Briefings	41	133	72	47
Community consultations	163	251	274	–
Site visits	48	202	263	111
Public forums	–	28	–	51
Consult. conducted by independent researcher	–	29	–	–
Signatories to petitions	–	–	–	400
<b>Total participants</b>	1,362	3,165	3,117	2,529

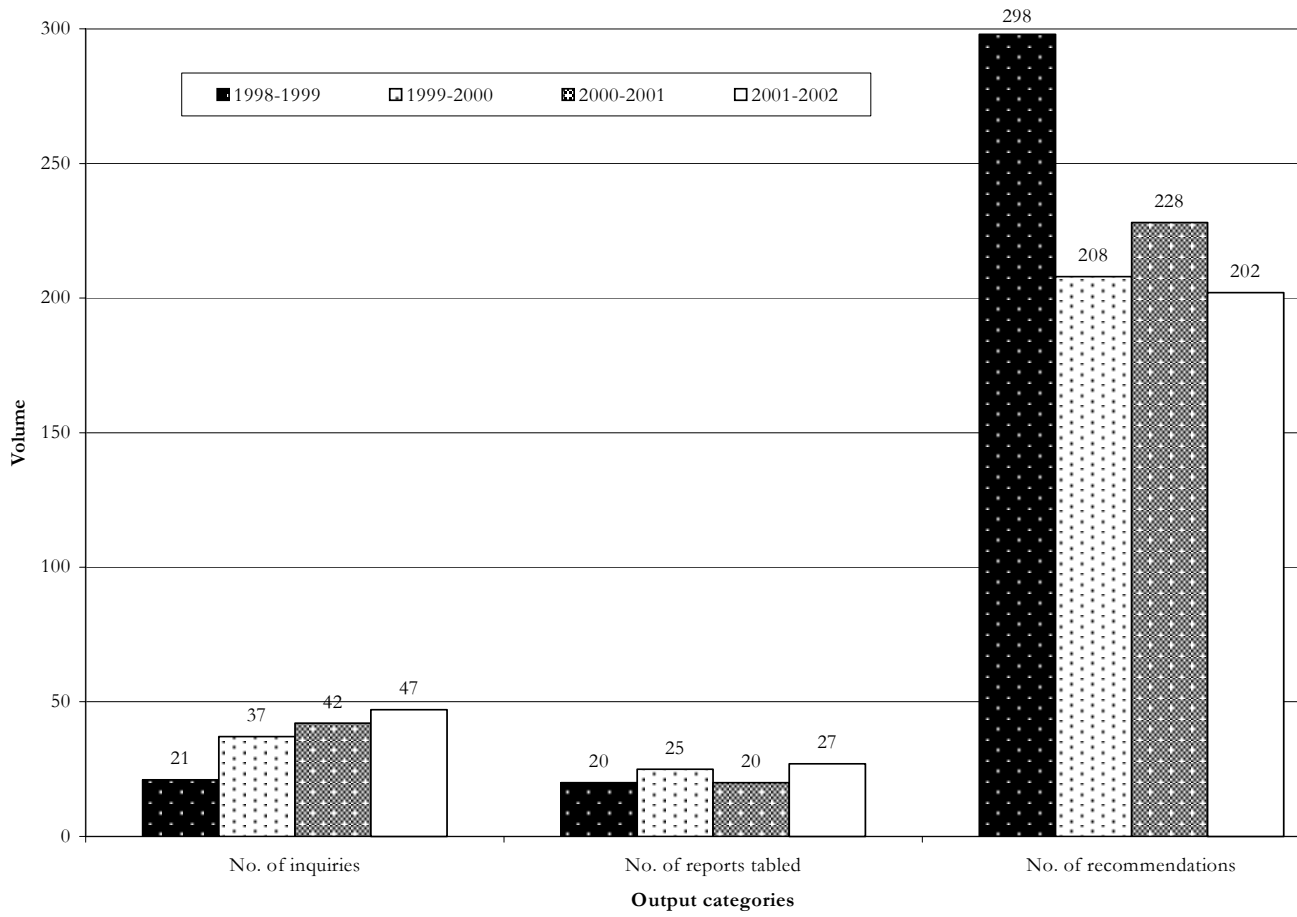
**Figure 1.1 Meetings and hearings – all Legislative Council committees 1998-1999 to 2001-2002**



**Figure 1.2 Public consultation – all Legislative Council committees 1998-1999 to 2001-2002**



**Figure 1.3 Output – all Legislative Council committees 1998-1999 to 2001-2002**



# Standing Committee on Law and Justice

## How to contact the committee

Members of the Standing Committee on Law and Justice can be contacted through the Committee Secretariat. Written correspondence and inquiries should be directed to:

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The Director

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Standing Committee on Law and Justice

---

Legislative Council

---

Parliament House, Macquarie Street

---

Sydney New South Wales 2000

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Internet [www.parliament.nsw.gov.au](http://www.parliament.nsw.gov.au)

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Email [lawandjustice@parliament.nsw.gov.au](mailto:lawandjustice@parliament.nsw.gov.au)

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Telephone 61-2-9230 3311

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Facsimile 61-2-9230 3371

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# Chapter 1 Standing Committee on Law and Justice

## Law and Justice Committee at a glance

### Committee membership

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**The Hon Ron Dyer, MLC** Australian Labor Party (Chair)

---

**The Hon John Ryan, MLC** Liberal Party of Australia (Deputy Chair)

---

**The Hon Peter Breen, MLC** Reform the Legal System

---

**The Hon John Hatzistergos, MLC** Australian Labor Party

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**The Hon Janelle Saffin, MLC** Australian Labor Party

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### References

#### 1.1

1. A NSW Bill of Rights  
(Ministerial reference from the Hon Jeff Shaw, QC, MLC, dated 19 November 1999)
2. Oversight of Motor Accidents Authority  
(Reference from the House, dated 30 November 1999, pursuant to section 210 *Motor Accidents Compensation Act*)
3. *Crimes (Forensic Procedures) Act 2000*  
(Reference from the House, through amendment to Bill to include section 123 concerning review by the committee, 28 June 2000)
4. Inquiry into Child Sexual Assault Matters  
(Ministerial reference from the Hon R J Debus, MP dated 11 December 2002)
5. Oversight of Motor Accidents Authority  
(Reference from the House, dated 30 November 1999, pursuant to section 210 *Motor Accidents Compensation Act*)
6. Inquiry into Regulating the Use of the Coats of Arms  
(Reference from the Hon R J Debus, MP dated 5 February 2002)
7. Inquiry into the *Home Building Amendment (Insurance) Act 2002*  
(Reference from the House dated 13 May 2002)
8. Inquiry into *Criminal Procedure Amendment (Pre-Trial Disclosure) Act 2001*  
(Reference from the House dated 7 December 2000)

**Statistical summary**

	<b>2000-2001</b>	<b>2001-2002</b>
<b>Inquiries</b>	5	7
Reports tabled	3	3
Recommendations	52	60
Meetings	19	22
<b>Public consultation</b>		
Number of submissions received	61	181
Number of hearings	13	19
Location – Parliament House	13	19
Total duration	54 hrs 54 mins	47 hrs 27 mins
Number of witnesses	60	65
<b>Participants in other forms of consultations</b>		
Seminars	–	–
Round table meetings	–	–
Briefings	2	–
<b>Total participants</b>	123	246

**Members' attendance record**

<b>Members</b>	<b>Meetings attended</b>	<b>Meetings held</b>
The Hon Ron Dyer, MLC (Chair)	22	22
The Hon John Ryan, MLC (Deputy Chair)	19	22
The Hon Peter Breen, MLC	17	22
The Hon John Hatzistergos, MLC	20	22
The Hon Janelle Saffin, MLC	5	22



## Inquiries

### Review of the Crimes (Forensic Procedures) Act 2000

#### Terms of Reference

#### 1.2

- (1) The Committee of the Legislative Council established under the name of the “Standing Committee on Law and Justice” is to inquire into and report on the operation of this Act and the regulations.
- (2) The report is to be tabled in the Legislative Council as soon as possible after the end of the period of 18 months from the date of assent to this Act.
- (3) Without limiting the matters that the Committee may take into account for the purposes of its enquiry and report, it may take into account the following:
  - (a) any relevant provisions of the Model Forensic Procedures Bill 1999 set out in Appendix 3 of the Discussion paper dated May 1999 prepared by the Model Criminal Code Officers Committee or of any State, Commonwealth or other law,
  - (b) the wider social and legal implications of use of information obtained from matching of DNA profiles derived from forensic material,
  - (c) the effectiveness of matching of DNA profiles as an investigative tool,
  - (d) the reliability of the matching of DNA profiles for the purposes of forensic identification.
- (4) The Committee may make recommendations in its report about amendments that might appropriately be made to the Act to enhance its operation and provide further safeguards for the privacy and civil liberty of persons on whom forensic procedures are carried out, or proposed to be carried out, under the Act.
- (5) The Committee is to furnish a copy of the report to the Ombudsman for consideration.

**1.3 Source of reference:** Section 123 of the *Crimes (Forensic Procedures) Act 2000*

**1.4 Status of Inquiry** Completed

Reports tabled	Take note debate	Government response
Review of the Crimes (Forensic Procedures) Act 2000	13 March 2002	Due August 2002

**1.5 Statistical summary**

<b>Public consultation</b>	<b>2001-2002</b>
Number of submissions received	26
Number of hearings	9
Locations – Sydney	9
Total duration	21 hrs 11 mins
Number of witnesses	30

**Outcomes/comments**

- 1.6** The report was tabled on 7 February 2002 following widespread public consultation. The Inquiry achieved cross-party agreement on protections and regulation required for the use of DNA in the investigation and prosecution of crime.

## NSW Bill of Rights

### Terms of reference

- 1.7 That the Standing Committee on Law and Justice undertake an Inquiry into and report on whether it is appropriate and in the public interest to enact a statutory New South Wales Bill of Rights and/or whether amendments should be made to the *Interpretation Act 1987* to require courts to take into account rights contained in the International Conventions, with particular reference to:
- (a) whether the rights declared in the International Covenant on Civil and Political Rights should be incorporated into domestic law by such a Bill of Rights;
  - (b) whether economic, social and cultural rights, group rights and the rights of Indigenous people should be included in a Bill of Rights;
  - (c) whether individual responsibilities as distinct from rights should be included in a Bill of Rights;
  - (d) the consequences for Australian common law of Bill of Rights in the United Kingdom, Canada and New Zealand;
  - (e) in what circumstances Parliament might exercise its ultimate authority to override basic rights declared in a Bill of Rights and what procedures need to be put in place to ensure that any such overriding legislation complies with the Bill of Rights;
  - (f) the circumstances, if any, in which a Bill of Rights should be binding on individuals as distinct from the Legislative, Executive and Judicial arms of Government and persons or bodies performing a public function or exercising a public power under legislation;
  - (g) the extent and manner in which the rights declared in a Bill of Rights should be enforceable;
  - (h) whether a Bill of Rights should be subject to any reasonable limits prescribed by law that are demonstrably justifiable in a free and democratic society;
  - (i) whether there should be a legislative requirement on courts to construe legislation in a manner which is compatible with international human rights instruments; and
  - (j) any other matter arising out of or incidental to these terms of reference.
- 1.8 **Date and source of reference:** 19 November 1999, Hon Jeff Shaw, QC, MLC, Attorney-General and Minister for Industrial Relations
- 1.9 **Status of inquiry:** Completed

<b>Reports tabled</b>	<b>Take note debate</b>	<b>Government response</b>
NSW Bill of Rights	17 October 2001 24 October 2001 14 November 2001	Received 2 April 2002

**Comments/Outcomes**

- 1.10** Hearings and consultations were finalised in the previous financial year, and the report was tabled 3 October 2001. The Inquiry stimulated academic and community debate about the appropriateness of a Bill of Rights for NSW.

## Oversight of Motor Accidents Authority

### Terms of reference

1. That, in accordance with the provisions of section 210 of the *Motor Accidents Compensation Act 1999*, which commenced on 5 October 1999, the Standing Committee on Law and Justice be designated as the Legislative Council Committee to supervise the exercise of the functions of the Motor Accidents Authority and Motor Accidents Council under the Act.
2. That the terms of reference of the committee in relation to these functions be:
  - (a) to monitor and review the exercise by the Authority and Commission of their functions,
  - (b) to report to the House, with such comments as it thinks fit, on any matter appertaining to the Authority or Commission or connected with the exercise of their functions to which, in the opinion of the Committee, the attention of the House should be directed,
  - (c) to examine each annual or other report of the Authority and Commission and report to the House on any matter appearing in, or arising out of, any such report,
  - (d) to examine trends and changes in motor accidents compensation, and report to the House any changes that the Committee thinks desirable to the functions and procedures of the Authority or Commission,
  - (e) to inquire into any question in connection with the Committee's functions which is referred to it by the House, and report to the House on that question.
3. That the Committee is required to report to the House in relation to the exercise of its functions under this resolution at least once each year.
4. That nothing in this resolution authorises the Standing Committee on Law and Justice to investigate a particular compensation claim under the *Motor Accidents Compensation Act*.

**1.11 Date and source of reference:** 30 November 1999, Reference from the House (the Hon John Della Bosca, MLC)

**1.12 Status of inquiry:** Ongoing

Reports tabled	Take note debate	Government response
Review of the exercise of the functions of the Motor Accidents Authority and the Motor Accidents Council – Third Report (tabled 18 February 2002)	13 March 2002 20 March 2002	Due August 2002

**1.13 Statistical summary**

<b>Public consultation</b>	<b>2001-2002</b>
Number of submissions received	–
Number of hearings	1
Locations – Sydney	1
Total duration	2 hrs 45 mins
Number of witnesses	4

**Outcomes/comments**

- 1.14** The Third Report was tabled on 18 February 2002 and it contained one recommendation. The Government response is pending.

## Inquiry into Child Sexual Assault Matters

### Terms of Reference

**1.15** The Standing Committee on Law and Justice is to inquire into and report on:

The circumstances surrounding the prosecution of child sexual assault matters, including:

1. communication between the police and the complainant, and the complainant and the prosecution concerning the consequences of pursuing a prosecution for child sexual assault;
2. the role of sexual assault counsellors in the complaint process
3. the impact of the application of the rules of evidence, other legislative provisions and court practices in prosecutions for child sexual assault offences
4. alternative procedures for the prosecution of child sexual assault matters including alternative models for the punishment of offenders
5. possible civil responses to perpetrators and victims of child sexual assault
6. appropriate methods of sustaining ongoing dialogue between the community, government and non-government agencies about issues of common concern with respect to child sexual assault; and
7. any related matter concerning approaches to child sexual assault in the justice system.

**1.16** **Date and source of reference:** Attorney General, correspondence dated 11 December 2001.

**1.17** **Status of Inquiry:** Ongoing

**1.18** **Statistical summary**

<b>Public consultation</b>	<b>2001-2002</b>
Number of submissions received	84
Number of hearings	9
Locations – Sydney	9
Total duration	23 hrs 31 mins
Number of witnesses	31

### Outcomes/comments

**1.19** The public hearing program has been completed, and the community has been widely consulted on child sexual assault prosecutions. The report is expected to be tabled in October 2002.

## Inquiry into Regulating the Use of Coats of Arms

### Terms of Reference

**1.20** The Committee is to inquire into and report upon a proposal to introduce a State Arms Bill to regulate the use of coats of arms in connection with the Parliament, the courts, the office of the Governor and State instrumentalities. In conducting its inquiry, the Committee should have regard to:

1. Whether the provisions of the proposed State Arms Bill meet its stated policy objectives; and
2. Any related matter.

**1.21** **Date and source of reference:** Attorney General, correspondence dated 5 February 2002

**1.22** **Status of Inquiry** Ongoing

**1.23** **Statistical summary**

<b>Public consultation</b>	<b>2001-2002</b>
Number of submissions received	54
Number of hearings	
Locations – Sydney	
Total duration	
Number of witnesses	

### Outcomes/comments

**1.24** The call for submissions resulted in a great deal of community interest. Submissions closed 6 May 2002 and hearings will commence on 12 August 2002. It is anticipated that the report will be completed by December 2002.



## Inquiry into the Home Building Amendment (Insurance) Act 2002

### Terms of Reference

**1.25** That the Standing Committee on Law and Justice investigate the impact of the Home Building Amendment (Insurance) Act 2002 on:

- (a) home warranty insurance,
- (b) home builders, and
- (c) consumers.

**1.26** **Date and source of reference:** By resolution of the Legislative Council, 13 May 2002

**1.27** **Status of Inquiry:** Ongoing

### 1.28 Statistical summary

Public consultation	2001-2002
Number of submissions received	15
Number of hearings	0
Locations – Sydney	0
Total duration	0
Number of witnesses	0

### Outcomes/comments:

**1.29** Submissions closed on 21 June 2002. Public hearings will commence in July 2002. It is anticipated the Report will be completed in September 2002.

## **Inquiry into Criminal Procedure Amendment (Pre-Trial Disclosure) Act 2000**

### **Terms of Reference**

**1.30** That the Standing Committee on Law and Justice inquire and report on:

1. The provisions of the Criminal Procedure Amendment (Pre-Trial Disclosure) Act 2001, as passed by the House, together with the system of pre-trial disclosure in New South Wales including:
  - (a) the provision of funding to various legal bodies required to undertake pre-trial disclosure, including but not limited to:
    - (i) the Legal Aid Commission,
    - (ii) the Office of the Director of Public Prosecutions,
    - (iii) the Public Defenders,
    - (iv) the Sydney Regional Aboriginal Corporation Legal Service and other Aboriginal legal services, and
    - (v) any other legal service,
  - (b) the frequency and type of pre-trial disclosure orders made in the Supreme Court and District Court,
  - (c) the rate of compliance with pre-trial disclosure requirements by:
    - (i) legally aided defendants,
    - (ii) privately funded defendants,
    - (iii) Police,
    - (iv) the Office of the Director of Public Prosecutions,
  - (d) the impact of pre-trial disclosure requirements on unrepresented defendants,
  - (e) the effect of pre-trial disclosure requirements on court delays and waiting times in the Supreme Court, District Court and the Court of Criminal Appeal,
  - (f) the effect of pre-trial disclosure requirements on the doctrine of the right to silence,
  - (g) the effect of pre-trial disclosure requirements on the doctrine of the presumption of innocence,
  - (h) the effect of pre-trial disclosure requirements on the doctrine of the burden of proof resting with the prosecution,
  - (i) any other matter arising out of or incidental to these terms of reference.
2. That the Committee report within 18 months from the date of commencement of the Act, as assented to.

**1.31** **Date and source of reference:** By resolution of the Legislative Council, 7 December 2000

1.32 **Status of Inquiry:** Ongoing

1.33 **Statistical summary**

<b>Public consultation</b>	<b>2001-2002</b>
Number of submissions received	1
Number of hearings	0
Locations – Sydney	0
Total duration	0
Number of witnesses	0

**Outcomes/comments**

1.34 Submissions will close 12 August 2002. An interim first report will be tabled in September 2002.

## List of previous committee reports

Report No.	Title	Date tabled
1	<i>Crimes Amendment Mandatory Life Sentences Bill</i>	November 1995
2	Motor Accidents Scheme – Proceedings of Public Seminar	May 1996
3	Motor Accidents Scheme – Interim Report	December 1996
4	Workplace Safety – Proceedings of Public Seminar	March 1997
5	Motor Accidents Scheme (Legal Costs) – Proceedings of Public Seminar	June 1997
6	<i>Family Impact Commission Bill</i>	November 1997
7	Motor Accidents Scheme – Second Interim Report	December 1997
8	Workplace Safety – Interim Report	December 1997
<b>Issues paper 1</b>	Workplace Safety – Issues Paper	February 1998
9	Motor Accidents Scheme – Final Report	November 1998
10	Workplace Safety – Final Report Volumes One and Two	November 1998
11	Crime Prevention through Social Support – Proceedings of Public Conference	December 1998
12	Crime Prevention through Social Support – First Report	December 1999
13	Review of the exercise of the functions of the Motor Accidents Authority and the Motor Accidents Council – First Report	June 2000
14	Crime Prevention through Social Support – Second Report	August 2000
15	Report on the Inquiry into the <i>Crimes Amendment (Child Protection – Excessive Punishment) Bill 2000</i>	October 2000
16	Review of the exercise of the functions of the Motor Accidents Authority and the Motor Accidents Council – Second Report	February 2001
17	A NSW Bill of Rights	October 2001
18	Review of the <i>Crimes (Forensic Procedures) Act 2000</i>	February 2002
19	Review of the exercise of the functions of the Motor Accidents Authority and the Motor Accidents Council – Third Report	February 2002

# Standing Committee on Social Issues

## How to contact the committee

Members of the Standing Committee on Social Issues can be contacted through the Committee Secretariat. Written correspondence and inquiries should be directed to:

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The Director

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Standing Committee on Social Issues

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Legislative Council

---

Parliament House, Macquarie Street

---

Sydney New South Wales 2000

---

Internet [www.parliament.nsw.gov.au](http://www.parliament.nsw.gov.au)

---

Email [socialissues@parliament.nsw.gov.au](mailto:socialissues@parliament.nsw.gov.au)

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Telephone 61-2-9230 3078

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Facsimile 61-2-9230 2981

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## Chapter 2 Standing Committee on Social Issues

### Social Issues Committee at a glance

#### Committee membership

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**Jan Burnswoods, MLC** Australian Labor Party (Chair)

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**The Hon Doug Moppett, MLC** National Party of Australia (Deputy Chair)  
(Resigned 18 June 2002)

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**The Hon James Samios, MLC** Liberal Party (Deputy Chair) (Appointed 27 June 2002)

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**The Hon Amanda Fazio, MLC** Australian Labor Party

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**The Hon Ian West, MLC** Australian Labor Party

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**The Hon Dr Arthur Chesterfield-Evans, MLC** Australian Democrats

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#### References

- 2.1
1. Residential and Support Services for People with Disability  
(Reference from the House, dated 16 September 1999)
  2. Early Intervention into Learning Difficulties  
(Ministerial reference from the Hon John Aquilina MP, Minister for Education and Training, dated 4 August 2000)
  3. Inquiry into Community Housing  
(Ministerial reference from the Hon Andrew Refshauge MP, Deputy Premier, Minister for Planning, Aboriginal Affairs and Housing, dated 27 September 2001.)
  4. Inquiry into the Classification (Publications, Films and Computer Games) Enforcement Amendment Bill 2001  
(Ministerial reference from the Hon Bob Debus MP, Attorney General, Minister for the Environment, Minister for Emergency Services, and Minister Assisting the Premier on the Arts, dated 5 December 2001)
  5. Child Protection Services  
(Reference from the House, dated 10 April 2002)

**Statistical summary**

	2000-2001	2002-2003
<b>Inquiries</b>	3	5
Reports tabled	2	2
Recommendations	53	8
Meetings	22*	26
* including 3 sub-committee meetings		
<b>Public consultation</b>		
Number of submissions received	126	421
Number of hearings	5	21
Location – Sydney	5	19
– regional NSW		2
Total duration	25 hours	85 hours 5mins
Number of witnesses	23	111
<b>Participants in other forms of consultations</b>		
Briefing – Sydney	5	
– Interstate	57	
Community consultations		
– Sydney	17	
– regional NSW	257	
Site visits – Sydney		42
– regional NSW	89	27
<b>Total participants</b>	574	180

**Members' attendance record**

Members	Meetings attended	Meetings held
The Hon Jan Burnswoods, MLC (Chair)	26	26
The Hon Doug Moppett, MLC (Deputy Chair) (Resigned 18 June 2002)	22	26
The Hon James Samios, MLC (Deputy Chair) (Appointed 27 June 2002)	1	26
The Hon Dr Arthur Chesterfield-Evans, MLC	26	26
The Hon Amanda Fazio, MLC	24	26
The Hon Ian West MLC	26	26



## Inquiries

### Residential and Support Services for people with Disability

#### Terms of reference

- 2.2
1. That the Standing Committee on Social Issues inquiry into and report on the provision of residential care and other services which support people with disability, including the following.
  2. The tendering out of group homes currently operated by DOCS, including:
    - (a) how the decision was made, by whom and for what reason,
    - (b) the criteria for choosing which homes would be tendered out, how they were arrived at,
    - (c) the service planning and development that preceded the decision to tender out group homes, and in particular the following:
      - (i) arrangements for the provision of case work, clinical and allied health services for people with disability in accommodation provided by the non-government sector,
      - (ii) arrangements for the training and accreditation of staff working in non-government accommodation services,
      - (iii) arrangements for non-government infrastructure support and development generally,
    - (d) how the processes involved in tendering out group homes were arrived at,
    - (e) the level of consultation with people with disability, their families and carers prior to and during the process of tendering out the group homes, and organisations representing people with disability, especially including People with Disabilities (Inc), the NSW Council on Intellectual Disability, the NSW Safeguard Coalition and the Public Service Association,
    - (f) the appropriateness of the means by which people with disability and their families were informed of the decision to tender out group homes,
    - (g) whether during this process the Government has breached the *Disability Services Act (1993)* in any way,
    - (h) the need for certainty of future accommodation for people currently residing in DOCS Group Homes, and future clients of what are now DOCS Group Homes,
      - (i) the particular impact on rural and remote families.
  3. The provision of residential care and other services for people with disabilities, having regard but not limited to:
    - (a) current unmet need,

- (b) the adequacy of the Government's response to unmet need to date, including:
    - (i) the provision of funding to address unmet need,
    - (ii) service planning,
  - (c) the need and level of provision for respite care,
  - (d) the availability and distribution of supported accommodation, respite care and other disability services for people in rural and remote communities, needs of people with disabilities and their families in rural and remote areas, and the need for government to make particular provision for their needs,
  - (e) the security of ongoing funding arrangements for the non-government sector,
  - (f) the desirability or otherwise of a continuing role for Government in the direct provision of services for people with disability,
  - (g) the adequacy of administrative arrangements between the Ageing and Disability Department and the Department of Community Services in relation to the disability services provided by the Department of Community Services,
  - (h) the status of the implementation of the *Disability Services Act (1993)* in particular in respect to:
    - (i) the provision of funding to assist services to reach conformity to legislative requirements, and
    - (ii) the implementation of those provisions dealing with individualised funding arrangements.
4. That the Inquiry make specific and general recommendations about the matters inquired into.
  5. That in conducting the Inquiry specific steps be taken to consult as widely as possible with people with disability, their families and carers, and organisations representing people with disability, especially including People with Disabilities (Inc), the NSW Council on Intellectual Disability, the NSW Safeguard Coalition and the Public Service Association, having particular regard to the need to ensure people with disability are fully involved in decisions affecting their lives.
  6. That, in relation to the matters raised in paragraph 2 the Inquiry report to the Parliament no later than 30 November 1999.
  7. That until recommendations are made by this Inquiry, this House calls on the Government in the strongest terms to agree to a moratorium on the proposed changes to DOCS group homes, in order that it may respond positively to the Inquiry's outcomes.
  8. That the Government be required to provide to the House all Government papers in written or electronic form including the complete range of documents relating to the decision to tender out DOCS group homes, including papers from the Departments of the Premier, Treasury, Ageing and Disability and Community Services.

**2.3 Date and source of reference:** Reference from the House, 16 September 1999  
(Hon John Ryan, MLC)

- 2.4 Status of inquiry:** Ongoing  
(Part One of the inquiry complete, Part Two commenced January 2000)

Reports tabled	Take note debate	Government response
The Group Homes Proposal – Inquiry into Residential and Support Services for people with Disability: First Report (tabled 2 December 1999)	11 October 2000	Received 22 December 2000
A Matter of Priority. Report on Disability Services. Second Report. Report 23. December 2000. (tabled 18 December 2000)	30 May 2001 19 September 2001	Received 20 June 2001

## 2.5 Statistical summary

Public consultation	2000-2001	2001-2002
Number of submissions received	23	
Number of hearings		7
Location – Sydney		7
– regional NSW		
Total hearing duration (excludes briefings, site visits & community consultations)		26 hours 15 min
Number of witnesses		44
<b>Participants in other forms of consultation</b>		
Community consultations		
– Sydney		
– regional NSW	257	
Site visits – Sydney		
– regional NSW	89	
Briefings	5	

## Outcomes/comments

- 2.6** The Committee has consulted widely in this inquiry and tabled two interim reports. The inquiry has received a total of 315 written submissions and taken evidence from 132 witnesses. Twelve public consultations were also held, eleven of them in regional areas, which were attended by 555 people. Over the course of the inquiry there have been significant developments in disability services in New South Wales, with the injection of substantial new funding into the area over the last two years and the creation of the new Department of Ageing Disability and Home Care.
- 2.7** The final hearing in the inquiry was held on 9 May 2002 and the Committee is drafting its final report focussing on equity, departmental systems and future directions in disability services. This report is expected to be tabled late in 2002.

## Early Intervention into Learning Difficulties

### Terms of Reference

- 2.8** That the Standing Committee on Social Issues inquire into and report on early intervention into learning difficulties during the early childhood years (ages 0-8), including the following:
- The appropriate role of parents, government departments, non-government agencies and educational organisations in the development, delivery and evaluation of early intervention programs.
  - The adequacy of roles and responsibilities and interagency cooperation around early intervention programs for learning difficulties in NSW.
  - The ways in which early intervention practice in NSW might be informed by practice in other States of Australia and overseas, including evidence of the impact of early intervention on child protection, juvenile justice and intensive education programs.
  - Research into world's best practice in developing effective strategies to increase awareness and responsibility for assisting families in parenting skills, identifying learning difficulties and early intervention.
  - Maximising the effectiveness of assessment and early identification in ensuring improved learning outcomes from schooling for children experiencing learning difficulties.
  - Support available to families and communities to enable them to be better able to assist their children with learning difficulties.
  - Any other relevant matters.
- 2.9** The primary emphasis of the Inquiry is on the evaluation and development of programs for children with learning difficulties who with appropriate early intervention would be able to achieve age appropriate outcomes throughout their schooling.
- 2.10** **Date and source of reference:** Reference from Minister (Hon John Aquilina MP), 4 August 2000
- 2.11** **Status of inquiry:** Ongoing

## 2.12 Statistical summary

<b>Public consultation</b>	<b>2000-2001</b>	<b>2001-2002</b>
Number of submissions received	103	82
Number of hearings	5	5
Location – Sydney	5	3
– regional NSW		2
Total hearing duration	25 hours	11 hours 25 min
Number of witnesses	24	12
<b>Participants in other forms of consultation</b>		
Community consultations		
– Sydney	17	
– regional NSW		
Site visits – Sydney	14	
– regional NSW		27
Briefings – Sydney		
– Interstate	57	

## Outcomes/comments

- 2.13** The Committee released an Issues Paper, *Foundations for Learning: A New Vision for New South Wales?* in March 2002. Responses to the Issues Paper are currently being analysed and the Committee expects to finalise the inquiry late in 2002. Evidence to the inquiry has highlighted the importance of coordinated early childhood services in New South Wales.

## **Inquiry into Community Housing**

### **Terms of Reference**

1. That the Standing Committee on Social Issues inquire into and report on government-funded community housing, and in particular
  - (a) The role of the government-funded community housing sector in providing accommodation within the social housing system,
  - (b) The effectiveness of the community housing sector in meeting the needs of its clients in a responsive and efficient manner,
  - (c) The relative effectiveness of large and small community housing providers in providing accommodation to their clients,
  - (d) The role and operation of community housing or related models in other jurisdictions so as to better inform future strategies and develop best practice within the sector in New South Wales,
  - (e) Appropriate models for community housing in rural, regional and metropolitan New South Wales,
  - (f) The effectiveness of links between community housing providers and government and non-government support services,
  - (g) The adequacy and effectiveness of training and support available to community housing providers,
  - (h) Current management and operational policies and practices, their efficacy and transparency,
  - (i) The adequacy of current reporting and regulatory frameworks in ensuring corporate governance and accountability,
  - (j) Any other matter arising out of or incidental to these terms of reference.
2. That the Inquiry consider community housing providers, excluding Aboriginal community housing providers.
3. That the Committee present a final report to the Legislative Council no later than 7 November 2002.

**2.14 Date and source of reference:** Reference from the Minister (Hon Andrew Refshauge MP), 27 September 2001

**2.15 Status of inquiry:** Ongoing

**2.16**

<b>Public consultation</b>	<b>2001-2002</b>
Number of submissions received	55
Number of hearings	4
Location – Sydney	4
– regional NSW	
Total hearing duration	21 hours
Number of witnesses	26
<b>Participants in other forms of consultation</b>	
Community consultations	
– Sydney	
– regional NSW	
Site visits – Sydney	42
– regional NSW	
Briefings – Sydney	
– Interstate	

### **Outcomes/comments**

**2.17** The Committee has taken evidence from 26 witnesses and has visited a number of community housing providers. The Committee intends to consult further prior to releasing its final report.

## Inquiry into the Classification (Publications, Films and Computer Games Enforcement Amendment Bill 2001

### Terms of Reference

1. The Standing Committee on Social Issues is to inquire into and report upon the scope and operation of the *Classification (Publications, Films and Computer Games) Enforcement Amendment Bill 2001* with regard to:
  - (a) Whether the provisions of the Bill meet its stated policy objectives,
  - (b) Whether the provisions contained in Schedule 2 of the Bill provide an effective and enforceable regime for the regulation of on-line material,
  - (c) The social and legal impact of the on-line regulation of offensive material, and its implications for fair reporting of news and current affairs and legitimate internet use, and
  - (d) Any related matter.
2. That the Committee provide a final report to the House by 7 June 2002.

**2.18 Date and source of reference:** December 2001, the Hon Bob Debus MP, Attorney General, Minister for the Environment, Minister for Emergency Services, and Minister Assisting the Premier on the Arts.

**2.19 Status of inquiry:** Completed (Final Report June 2002)

Reports tabled	Take note debate	Government response
Inquiry into Classification (Publications, Films and Computer Games) Enforcement Amendment Bill 2001 Interim Report: Off-line Matters	Not Applicable	
Safety Net? Inquiry into Classification (Publications, Films and Computer Games) Enforcement Amendment Bill 2001: Final Report	12 June 2002 28 August 2002	Due 6 December 2002



## 2.20 Statistical summary

<b>Public consultation</b>	<b>2001-2002</b>
Number of submissions received	37
Number of hearings	3
Location – Sydney	3
– regional NSW	
Total hearing duration (excluding briefings, site visits and community consultations)	14 hours 50 m
Number of witnesses	17
<b>Participants in other forms of consultation</b>	
Community consultations	
– Sydney	
– regional NSW	
Site visits – Sydney	
– regional NSW	
Briefings – Sydney	
– Interstate	

## Outcomes/comments

- 2.21** The Committee tabled an interim report on 14 March 2002 that recommended proclamation of Schedule 1 of the *Classification (Publications, Films and Computer Games) Enforcement Amendment Act 2001*. Schedule 1 was proclaimed on 20 March 2002. The Committee's final report, dealing with proposals to regulate Internet content contained in Schedule 2 of the Act, was tabled on 6 June 2002. The report considers the many competing issues that need to be considered in developing proposals to regulate the Internet.

## Inquiry into Child Protection Services

### Terms of Reference

1. That the Standing Committee on Social Issues inquire into and report on the following aspects of the Department of Community Services:
  - (a) the adequacy of systems to receive, investigate and assess reports of children and young people at risk of harm,
  - (b) the ability of systems to receive and respond to requests for assistance concerning children, young people and families,
  - (c) the availability of appropriate out of home care placements for children and young people,
  - (d) outcomes for children and young people in out of home care.

In respect to matters (a)-(d) above, the Committee is to examine:

- (i) the training and morale of DOCS employees,
  - (ii) the adequacy of resources allocated for child and family services,
  - (iii) the role of research and consultation.
2. That the Committee table an interim report by 26 September 2002 and a final report by 5 December 2002.

**2.22 Date and Source of Reference:** Reference from the House dated 10 April 2002 (Hon Dr Arthur Chesterfield-Evans, MLC).

**2.23 Status of inquiry:** Ongoing

### 2.24 Statistical summary

Public consultation	2001-2002
Number of submissions received	247
Number of hearings	2
Location – Sydney	2
– regional NSW	
Total hearing duration (excluding briefings, site visits and community consultations)	11 hours 45 min
Number of witnesses	12

### Outcomes/comments

**2.25** The inquiry commenced on 10 April 2002 and has generated considerable public interest. The Committee is currently engaged in public consultation and analysis of evidence. The final report is required by 5 December 2002.

## List of previous committee reports

Report No.	Title	Date tabled
1	Accessing Adoption Information	October 1989
2	Drug Abuse Among Youth	December 1990
3	Medically Acquired HIV	October 1991
4	Juvenile Justice in New South Wales	May 1992
5	Births, Deaths and Marriages: An Open Register?	March 1993
6	Sexual Violence: The Hidden Crime Part 1	December 1993
7	Suicide in Rural New South Wales	November 1994
8	Youth Violence in New South Wales	September 1995
9	Sexual Violence: Addressing the Crime Part 2	April 1996
10	Children's Advocacy	September 1996
11	Caring for the Aged: An Interim Report of the Inquiry into Aged Care and Nursing Homes	June 1997
12	Children of Imprisoned Parents	July 1997
13	Clinical Trials and Guardianship: Maximising the Safeguards	August 1997
14	Caring for the Aged: Final Report of the Inquiry into Aged Care and Nursing Homes	September 1997
15	Working for Children: Communities Supporting Families. Inquiry into Parent Education and Support Programs	September 1998
16	Hepatitis C: The Neglected Epidemic. Inquiry into Hepatitis C in New South Wales	November 1998
17	Interim Report on Inquiry into Adoption Practices: Transcripts of Evidence from 27 August to 19 October 1998	November 1998
18	Enhancing Aboriginal Political Representation. Inquiry into Dedicated Seats in the New South Wales Parliament	November 1998
19	The Group Homes Proposal Inquiry into Residential and Support Services	December 1999
20	Domestic Relationships: Issues for Reform. Inquiry into De Facto Relationships Legislation	December 1999
21	Report on Adoption Practices Second Interim Report. Transcripts of Evidence 16 June 1999 – 25 October 1999	June 2000
22	Releasing the Past. Adoption Practices 1950-1998. Final Report	December 2000
23	A Matter of Priority. Report on Disability Services. Second Report	December 2000

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<b>Report No.</b>	<b>Title</b>	<b>Date tabled</b>
<b>24</b>	Inquiry into Classification (Publications, Films and Computer Games) Enforcement Amendment Bill 2001 Interim Report: Off-line Matters	March 2002
<b>25</b>	Safety Net? Inquiry into Classification (Publications, Films and Computer Games) Enforcement Amendment Bill 2001: Final Report	June 2002

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# Standing Committee on State Development

## How to contact the committee

Members of the Standing Committee on State Development can be contacted through the Committee Secretariat. Written correspondence and inquiries should be directed to:

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The Director

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Standing Committee on State Development

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Legislative Council

---

Parliament House, Macquarie Street

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Sydney New South Wales 2000

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Internet [www.parliament.nsw.gov.au](http://www.parliament.nsw.gov.au)

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Email [statedevelopment@parliament.nsw.gov.au](mailto:statedevelopment@parliament.nsw.gov.au)

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Telephone 61-2-9230 2193

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Facsimile 61-2-9230 2981

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## Chapter 3 Standing Committee on State Development

### State Development Committee at a glance

#### Committee Membership

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**The Hon Tony Kelly MLC** Australian Labor Party (Chair)

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**The Hon Dr Brian Pezzutti RFD MLC** Liberal Party of Australia (Deputy Chair)

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**The Hon Ian Cohen MLC** The Greens

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**The Hon John Johnson MLC** Australian Labor Party<sup>1</sup>

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**The Hon Michael Costa MLC** Australian Labor Party<sup>2</sup>

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**The Hon Ian West MLC** Australian Labor Party

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**The Hon Henry Tsang MLC** Australian Labor Party<sup>3</sup>

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#### References

- 3.1**
1. International Competitiveness of Agriculture in New South Wales  
(Ministerial reference from the Hon Richard Amery, MP, dated 20 July 1995, amended by the Hon Richard Amery, MP, 21 May 1998)
  2. Use and Management of Pesticides in New South Wales  
(Ministerial reference from the Hon Pam Allan, MP, dated 23 November 1998)
  3. Opportunities for Strengthening Rural Towns in New South Wales  
(Ministerial reference from the Hon Harry Woods, MP, dated 23 September 1999)
  4. Genetically Modified Food  
(Ministerial reference received from the Hon Richard Amery, MP, dated 11 November 1999)
  5. Proposed Merger of Country Energy Distributors  
(Reference from the House, dated 7 March 2001)

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<sup>1</sup> On 6 September 2001 the Hon John Johnson resigned from the Legislative Council. See *Minutes of the Proceedings of the Legislative Council*, 52nd Parliament, second session, 6 September 2001, Item No 3.

<sup>2</sup> On 19 September 2001 the Hon Michael Costa was appointed to the committee. See *Minutes of the Proceedings of the Legislative Council*, 52nd Parliament, second session, 19 September 2001, Item No 4. On 13 December 2001 the Hon Michael Costa was discharged from the committee. See *Minutes of the Proceedings of the Legislative Council*, 52nd Parliament, second session, 13 December 2001, Item No 2.

<sup>3</sup> On 13 December 2001 the Hon Henry Tsang was appointed to the committee. See *Minutes of the Proceedings of the Legislative Council*, 52nd Parliament, second session, 13 December 2001, Item No 2.

6. Redevelopment and Remediation of the Rhodes Peninsula  
(Reference from the House, dated 24 October 2001)
7. Local Government Boundary Changes in Inner Sydney and Eastern Suburbs  
(Reference from the House, dated 13 December 2001)

### Statistical Summary

#### 3.2

	2000-2001	2001-2002
<b>Inquiries</b>	6	6
Reports tabled	2	2
Recommendations	22	33
Issues for further consideration	–	17
<b>Meetings</b>	18	14
<b>Sub-committee meetings</b>	–	20
<b>Public consultation</b>	–	–
Number of submissions received	29	30
Number of hearings	1	2
Location – Sydney	1	2
Total duration of hearings	6 hours	13 hours
Number of witnesses	6	23
<b>Participants in other forms of consultations</b>		
Site visits – Sydney	–	17
– regional NSW	18	–
– outside NSW	41	42
<b>Total participants</b>	94	54



**Members' attendance record**

<b>Members</b>	<b>Meetings attended</b>	<b>Meetings held</b>
The Hon Tony Kelly, MLC	14	14
The Hon Dr Brian Pezzutti RFD, MLC	12 <sup>4</sup>	14
The Hon Ian Cohen, MLC	14	14
The Hon John Johnson, MLC	0	0
The Hon Ian West, MLC	14	14
The Hon Michael Costa, MLC	3	5
The Hon Henry Tsang, MLC	7	8

**Sub-committee meeting attendance**

<b>Members</b>	<b>Meetings attended</b>	<b>Meetings held</b>
The Hon Tony Kelly, MLC	20	20
The Hon Dr Brian Pezzutti RFD, MLC	20	20

**3.3**

A sub-committee was formed for the purposes of attending meetings during the United Kingdom and European research and information gathering visit attended by the Chair and Deputy Chair.

<sup>4</sup> The Hon Dr Pezzutti RFD, MLC was granted leave of absence by the Legislative Council for a period during which 1 committee meeting was held.

## Inquiries

### International competitiveness of agriculture in New South Wales

#### Terms of Reference

3.4 That the Standing Committee on State Development inquire into and report on the role of Government in facilitating the international competitiveness of agriculture in New South Wales, including:

- Innovation and diversification of the industry, including the development of new products and the application of new technology;
- Business enhancement services (for example, marketing and market intelligence, industry links/network, and leadership);
- Regulatory impediments, and inter and intra government coordination;
- Cost structures of the industry (for example, transport costs, packaging costs, state taxes and charges, and utility charges); and
- The development of sustainable management of agricultural resources.

3.5 **Date and source of reference:** 20 July 1995, the Hon Richard Amery, MP, Minister for Agriculture

3.6 **Status of inquiry:** Ongoing

#### Outcomes/Comments

3.7 The committee has received a substantial amount of evidence relating to the role of Government in facilitating the international competitiveness of agriculture in New South Wales during investigations conducted in previous years.

3.8 Further information has been gathered through consultations over the 2001-2002 year. The committee has continued to accept submissions and is considering further investigations. A sub-committee was formed for the purposes of furthering this inquiry and attending meetings during the United Kingdom and European research and information gathering visit.

## Use and management of pesticides in New South Wales

### Terms of reference

#### 3.9 That in light of:

- its inquiry into the Role of Government in Facilitating the International Competitiveness of Agriculture in New South Wales; and
- the widespread community consultation that was conducted in 1997 by the NSW Environment Protection Authority in conjunction with the Government's *Discussion Paper on Improving Pesticide Management in NSW*;

the Standing Committee on State Development inquire into and report on issues associated with all pesticide use in NSW and options for future policy and/or programs related to the management of pesticides, including all agricultural chemicals, having particular regard to:

- the sustainability of agricultural activities which currently rely on intensive pesticide use;
- the social, health, environmental and trade interests of the agricultural and wider community, including the need for avoiding and reducing the risks associated with pesticide use;
- the role of pesticide users, local government, State agencies and other stakeholders (including environment and other community groups) in the resolution of local conflicts in relation to pesticide use; and
- any opportunities for industry to address the issues through research and development (on aspects such as less pesticide-dependent plant varieties, improved pesticide products and application techniques) and the development and implementation of best management practices for pesticide use.

For the purposes of the inquiry, the Minister for the Environment has advised that the term pesticides includes herbicides, bactericides, pest baits, fungicides, insecticides, pest lures, rodenticides and pest repellents.

- |             |                                      |   |
|-------------|--------------------------------------|---|
| <b>3.10</b> | <b>Date and source of reference:</b> | 23 November 1998, the Hon Pam Allan, MP,<br>Minister for the Environment  |
| <b>3.11</b> | <b>Status of inquiry:</b>            | Completed (report tabled 22 September 1999)<br><br>The committee maintains a watching brief on the<br>implementation of its recommendations |

Reports tabled	Take note debate	Government Response
Report on the Use and Management of Pesticides in New South Wales (tabled 22 September 1999)	13 October 1999 27 October 1999 24 November 1999	22 November 1999 (for recommendation no.46) 11 April 2000 (all recommendations) 19 February 2001 2 May 2001 24 April 2002

### Outcomes/Comments

- 3.12** On 22 September 1999 the committee tabled its report into the use and management of pesticides in New South Wales (Volumes One and Two) that included 48 recommendations. The inquiry and report were originally requested by the Hon Pam Allan, MP, former Minister for the Environment, as a precursory analysis of the mechanism for the introduction of amendments to the *Pesticides Act 1978*. A substantial number of the committee's recommendations were adopted in the revised Act (*Pesticides Act 1999*).
- 3.13** In correspondence received by the committee on 22 November 1999, the Hon Bob Debus, Minister for the Environment, specifically advised of his willingness to adopt recommendation number 46 of the committee's report. As a consequence, the New South Wales Environment Protection Authority (EPA) will provide annual reviews to the Standing Committee concerning the progress and impact of implementing the *Pesticides Act 1999*.
- 3.14** On 19 February 2001 the committee received the first of four reports from the Minister detailing progress from assent of the Act to 30 September 2000. Further correspondence was received from the Minister on 2 May 2001 outlining operations of the Pesticides Implementation Committee (PIC) for its first twelve months to 23 March 2001 in response to recommendation 42 of the committee's report.
- 3.15** The second annual review covering progress on the implementation of the *Pesticides Act 1999* was received by the committee on 24 April 2002. This report was produced by the NSW EPA in conjunction with the PIC and covers the period 1 October 2000 to 30 September 2001. Progress on the issue includes the finalisation and gazettal of the *Pesticides Amendment (Records) Regulation 2001*.

## Opportunities for strengthening rural towns in New South Wales

### Terms of Reference

**3.16** The Hon Harry Woods, MP, Minister for Regional Development, Minister for Rural Affairs and Minister for Local Government, requested that the Standing Committee on State Development inquire into and report on a number of issues in relation to rural towns, expanding on the work undertaken through the NSW Government's Directions Statement on Regional Development, "Rebuilding Country New South Wales". To ensure that smaller regional centres maximise their economic potential, the inquiry should give particular regard to:

- Examination of economic development strategies that these centres could develop to achieve economic growth and employment. This analysis should include the use of mechanisms such as co-operatives, networks and clusters to achieve this growth. This inquiry should not only concentrate on the use of these mechanisms for the production of products and services for export out of the community, but also the utilisation of these tools to provide services and facilities for consumption within the particular community and in the purchase of inputs for the production of products and services
- How these centres can identify economic development opportunities. What role can the Government play in assisting these communities identify and develop these opportunities
- Impediments to economic growth in rural communities, eg, infrastructure, availability of finance, business advice and assistance, and
- Identify strategies for the development and promotion of economic opportunities in small towns.

**3.17**      **Date and source of reference:**      23 September 1999, the Hon Harry Woods, MP, Minister for Regional Development, Minister for Rural Affairs and Minister for Local Government

**3.18**      **Status of inquiry:**      Ongoing

### Outcomes/Comments

**3.19** The committee has taken submissions and undertaken a number of site visits to areas in Queensland, Tasmania and far west New South Wales to investigate factors that contribute to the strengthening or otherwise of rural communities. Areas of focus have included the role of leadership, the social fabric of communities and agriculture as drivers for town development.

**3.20** A sub-committee has undertaken further research on this inquiry during the past year and will, in the near future, publish a report on this research.

## Genetically modified food

### Terms of reference

**3.21** The Hon Richard Amery, MP, Minister for Agriculture and Minister for Land and Water Conservation, has requested that, to assist the ongoing debate in the area of genetically modified food, the Standing Committee on State Development inquire into and report on issues relating to genetically modified food, and in particular:

- the likely public and private benefits and costs of genetically modified food to New South Wales
- the impacts of genetically modified food technology upon the agricultural and food processing sectors, and
- the identification of any possible adverse consequences to trade, food safety and the environment from the introduction of genetically modified food technology.

**3.22** **Date and source of reference:** 11 November 1999, the Hon Richard Amery, MP, Minister for Agriculture, Minister for Land and Water Conservation

**3.23** **Status of inquiry** Ongoing

Reports tabled	Take note debate	Government Response
Genetically Modified Food: Interim Report (Issues Paper) (tabled 24 October 2001)	24 October 2001 14 November 2001 28 November 2001 5 December 2001	The Issues Paper did not contain recommendations for Government response

### Outcomes/comments

**3.24** The committee has been actively involved in the public policy debate on genetically modified food as it has rapidly evolved in Australia and internationally during the past few years. On 24 October 2001 the committee tabled an interim report which raised a number of issues for further consideration. These issues will be addressed in the committee's final report on genetically modified food.

**3.25** A sub-committee conducted comparative research on this inquiry during July and August 2001. The committee will publish a report on this research in the near future.

## Proposed merger of country energy distributors

### Terms of Reference

- 3.26** 1. That the Standing Committee on State Development inquire into and report on the proposed merger of Advance Energy, Great Southern Energy and NorthPower to form Country Energy and in particular:
- the impact of the merger on existing and future employment levels
  - the impact of the merger on existing and future access levels
  - the impact of the merger on existing and future maintenance and repair programs
  - the impact of the merger on the rural and regional communities affected by the merger
  - the impact of the merger on tariffs for rural and regional customers
  - the impact of the merger on financial returns to the Government from State owned corporations
  - methods to improve service and maintenance levels to rural and regional communities
  - methods to determine a common tariff structure for customers of Country Energy
  - examination of proposed salary levels and packages for the executive structure of Country Energy.
2. That the Committee report by Thursday 31 May 2001.

**3.27** **Date and source of reference:** Reference from the House, 7 March 2001 (the Hon Duncan Gay MLC)

**3.28** **Status of inquiry:** Complete

Reports tabled	Take note debate	Government Response
Report into Merger of Country Energy Distributors (tabled 31 May 2001)	31 May 2001 6 June 2001 19 September 2001 26 September 2001 17 October 2001	18 December 2001

**Outcomes/comments**

- 3.29** The inquiry into the merger of country energy distributors was completed with the tabling of the report on 31 May 2001. During the process of the inquiry, the merger of Advance Energy, Great Southern Energy and NorthPower remained a NSW Government proposal. Enacting the proposal hinged partly on the findings of the ACCC which was considering the implications of the merger proposal as part of its function of administering the *Trade Practices Act 1974*. On 8 May 2001, the Hon Michael Egan, MLC, Treasurer, Minister for State Development and Leader of the Government in the Legislative Council announced that clearance had been received from the ACCC to undertake the merger. Country Energy was launched on 1 July 2001.
- 3.30** The committee's inquiry and findings are based on its assessment of potential impacts of the merger. The Treasurer provided detail of the Government response to the report on 7 December 2001. This included an undertaking by the Energy and Water Ombudsman NSW to provide the committee with quarterly statistics on Country Energy's activities.



## Redevelopment and remediation of the Rhodes peninsula

### Terms of reference

**3.31** That the Standing Committee on State Development inquire into and report on plans, including Sydney Region Environment Plan 29, for redevelopment and remediation of the Rhodes Peninsula, and in particular:

- The extent of land and water contamination at Rhodes and other contaminated land in the vicinity and the waters of Homebush Bay,
- The necessity for remediation of contaminated land and water, including the former Union Carbide site and land subject to reclamation in Homebush Bay,
- The cost of remediation,
- Liability for the cost of remediation,
- Any risk to existing and future residents,
- Any risk to the environment, including terrestrial and marine fauna and flora,
- The effectiveness of transport plans, taking into account the proposed density of future development,
- The adequacy of public participation in the planning process,
- The health impacts of remediation and development, including any effect on the health of workers employed at Rhodes,
- Any matters arising from, or incidental to, these terms of reference.

**3.32** **Date and source of reference:** Reference from the House, 24 October 2001 (the Hon Ian Cohen, MLC)

**3.33** **Status of inquiry:** Completed

Reports tabled	Take note debate	Government Response
Report on the Redevelopment and Remediation of the Rhodes Peninsula (tabled 27 June 2002)	27 June 2002	Due 28 December 2002

**3.34 Statistical summary**

<b>Public consultation</b>	<b>2001-2002</b>
Number of recommendations	33
Number of submissions received	30
Number of hearings	2
Total duration	10
Number of witnesses	22
<b>Total participants</b>	<b>52</b>

**Outcomes/comments**

- 3.35** The inquiry into the redevelopment and remediation of the Rhodes peninsula is the most recently completed committee inquiry. During November 2001, the committee advertised widely for public submissions to the inquiry, with a closing date of 31 December 2001. The committee made a site visit on 29 January 2002, and public hearings were conducted on 7 and 8 February 2002. A number of critical environmental and public safety issues were raised in the course of the inquiry, with the committee making 33 recommendations for consideration by the Government.
- 3.36** The report of the committee was tabled on 27 June 2002 and includes a dissenting report from the Hon Ian Cohen, MLC. The Government response is expected by the end of December 2002. The committee resolved to maintain a watching brief over the implementation of its recommendations for the next four years.

## Local government boundaries

### Terms of reference

**3.37** That the Standing Committee on State Development inquire into and report on the impact of proposed changes to local government boundaries in Inner Sydney and the Eastern Suburbs (South Sydney, Leichhardt, Waverley, Woollahra and the City of Sydney Councils), and in particular:

- The economic impact of the proposed boundary changes on the areas affected
- The social impact on the communities affected by the changes
- The total value of assets owned by each Council in areas that could be affected and the most equitable way to distribute those assets if the boundary changes were to proceed
- The extent to which there are differences between the changes recommended by Professor Kevin Sproats in his “Report of an Inquiry into the Structure of Eight Inner Sydney and Eastern Suburbs Councils” and the proposed changes later announced by the Minister for Local Government
- Whether the Local Boundaries Commission Inquiry into the Government’s proposals has conformed with appropriate legislative requirements
- The need for a plebiscite of ratepayers of affected Council areas under section 265 of the Local Government Act 1993
- That the Committee report by 31 March 2002.
- That, in view of the current proceedings in the Supreme Court and the Land and Environment Court, the Committee not commence its inquiry until a judgment is given in those proceedings. The Committee, in its inquiry, is to have regard to any decision of those Courts impacting on the proposed boundary changes.

**3.38**      **Date and source of reference:**      Reference from the House, 24 October 2001 (the Hon Ian Cohen, MLC)

**3.39**      **Status of inquiry:**      Not yet commenced, pending the outcome of an appeal by the Minister for Local Government

### Outcomes/comments

**3.40**      Although a judgement was given in relation to the originating proceedings, the committee has not progressed the inquiry due to ongoing court appeals. The House extended the reporting date to 30 August 2002, pending the outcome of the most recent appeal.

## List of previous publications

Report No.	Title	Date tabled
<b>Discussion Paper 1</b>	Public Sector Tendering & Contracting in New South Wales: A Survey	May 1989
1	Public Sector Tendering & Contracting in New South Wales: Supply of Goods and Services	August 1989
2	Public Sector Tendering & Contracting in New South Wales: Local Government Tendering & Contracting	October 1989
<b>Discussion Paper 2</b>	Coastal Development in New South Wales: Public Concerns & Government Processes	November 1989
<b>Discussion Paper 3</b>	Public Sector Tendering & Contracting in New South Wales: Capital Works Tendering & Contracting: Management Options	June 1990
3	Public Sector Tendering & Contracting in New South Wales: Capital Works Tendering & Contracting. Volume A	April 1991
4	Coastal Planning & Management in New South Wales: A Framework for the Future. Volume 1	September 1991
<b>Supplement to 4</b>	An Alternative Dispute Resolution Primer	September 1991
5	Public Sector Tendering & Contracting in New South Wales: Capital Works Tendering & Contracting. Volume B	December 1991
6	Payroll Tax Concessions for Country Industries. Volume I	December 1991
7	Public Sector Tendering & Contracting in New South Wales: Supply of Goods and Services: Follow Up Report	June 1992
8	Coastal Planning & Management in New South Wales: The Process for the Future. Volume II	October 1992
9	Public Sector Tendering & Contracting in New South Wales: Local Government Tendering & Contracting: Follow Up Report	April 1993
<b>Discussion Paper 4</b>	Regional Business Development in New South Wales: Trends, Policies and Issues.	August 1993
10	Regional Business Development in New South Wales: Achieving Sustainable Growth: Principles for Setting Policy. Volume I	May 1994
11	Regional Business Development in New South Wales: Achieving Sustainable Growth: Initiatives for Setting Policy. Volume II	November 1994
12	Rationales for Closing the Veterinary Laboratories At Armidale and Wagga Wagga and the Rydalmere Biological and Chemical Research Institute	August 1996
13	Factors Influencing the Relocation of Regional Headquarters of Australian and Overseas Corporations to New South Wales	October 1996
14	Interim Report on the Fisheries Management Amendment (Advisory Bodies) Act 1996	April 1997
15	Waste Minimisation and Management	April 1997

Report No.	Title	Date tabled
16	The Fisheries Management Amendment (Advisory Bodies) Act 1996	July 1997
<b>Discussion Paper 5</b>	Future Employment and Business Opportunities in the Hunter Region	October 1997
17	Fisheries Management and Resource Allocation in New South Wales	November 1997
18	Operations of the Sydney Market Authority (Dissolution) Bill from Commencement until 31 December 1997	March 1998
<b>Discussion Paper 6</b>	International Competitiveness of Agriculture in New South Wales	May 1998
19	Future Employment and Business Opportunities in the Hunter Region; and The Downsizing of the Rack Rite Investment Proposal	July 1998
20	Interim Report on the Provision and Operation of Rural and Regional Air Services in New South Wales	September 1998
21A	The Use and Management of Pesticides in New South Wales Vol 1	September 1999
21B	The Use and Management of Pesticides in New South Wales Vol 2: Transcripts of Evidence	September 1999
22	Inquiry into Road Maintenance and Competitive Road Maintenance Tendering	November 2000
23	Merger of Country Energy Distributors	May 2001
24	Genetically Modified Foods: Interim Report (Issues Paper)	October 2001
25	Redevelopment and Remediation of the Rhodes Peninsula	June 2002

# Standing Committee on Parliamentary Privilege and Ethics

## How to contact the committee

Members of the Standing Committee on Parliamentary Privilege and Ethics can be contacted through the Committee Secretariat. Written correspondence and inquiries should be directed to:

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Clerk to the Committee

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Standing Committee on Parliamentary Privilege and Ethics

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Legislative Council

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Parliament House, Macquarie Street

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Sydney New South Wales 2000

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Internet [www.parliament.nsw.gov.au](http://www.parliament.nsw.gov.au)

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Email [privilege@parliament.nsw.gov.au](mailto:privilege@parliament.nsw.gov.au)

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Telephone 61-2-9230 2024

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Facsimile 61-2-9230 2761

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## Chapter 4 Standing Committee on Parliamentary Privilege and Ethics

### Parliamentary Privilege and Ethics at a glance

#### Committee membership

<b>The Hon Helen Sham-Ho, MLC</b> Independent (Chair) <sup>5</sup>
<b>The Hon Amanda Fazio, MLC</b> Australian Labor Party
<b>The Hon Patricia Forsythe MLC</b> Liberal Party of Australia (Deputy Chair)
<b>The Hon Jenny Gardiner, MLC</b> National Party of Australia
<b>The Hon Tony Kelly, MLC</b> Australian Labor Party
<b>The Hon Peter Primrose, MLC</b> Australian Labor Party
<b>The Hon Janelle Saffin, MLC</b> Australian Labor Party
<b>The Revd Hon Fred Nile, MLC</b> Christian Democratic Party <sup>6</sup>
<b>The Hon Peter Breen MLC</b> Reform the Legal System <sup>7</sup>

#### References

- 4.1
1. Office of Profit under the Crown and Crown contracts (Reference from the House, 24 June 1997)
  2. Citizen's Right of Reply (Resolution of the House, 13 November 1997)
  3. Functions in connection with Code of Conduct and Ethical Standards (amendments to *ICAC Act* in 1994; resolutions of the House, 24 May 1995 and 25 May 1999)
  4. Special Report from General Purpose Standing Committee No.3 on possible breaches of privilege
  5. Guidelines for dealing with unauthorised disclosure of committee proceedings

<sup>5</sup> Replaced as a member of the Committee by the Hon Peter Breen MLC for the inquiry on the Special Report of General Purpose Standing Committee No. 3 (*Minutes of the Proceedings of the Legislative Council*, No. 111, 28 June 2001, Entry No. 10).

<sup>6</sup> Chair of the Committee for the inquiry on the Special Report of General Purpose Standing Committee No. 3 (*Minutes of the Proceedings of the Legislative Council*, No. 118, 18 September 2001, Entry No. 5).

<sup>7</sup> Appointed by resolution of the Legislative Council on 28 June 2001. Ceased to be a member of the Committee on tabling of the report on 13 November 2001.



**Statistical summary**

	2000-2001	2001-2002
<b>Inquiries</b>	4	5
Reports tabled	1	5
Recommendations	1	10
Meetings	5	12
<b>Public consultation</b>	–	–
Number of submissions received	3	8
Number of hearings	–	1
Location – Sydney	–	1
Total duration of hearings	–	5 hrs 42 mins
Number of witnesses	–	9
<b>Total participants</b>	3	17

**Members' attendance record**

Members	Meetings attended	Meetings held
The Hon Helen Sham-Ho, MLC (Chair)	6	6
The Hon Peter Breen, MLC	6	6
The Hon Amanda Fazio MLC	11	12
The Hon Patricia Forsythe MLC	10	12
The Hon Jenny Gardiner, MLC	8	12
The Hon Tony Kelly, MLC	7	12
The Hon Peter Primrose, MLC	12	12
The Hon Janelle Saffin, MLC	10	12
The Revd Hon Fred Nile, MLC	11	12

## Inquiries

### Office of Profit under the Crown and Crown contracts

#### Terms of reference

- 4.2 That the Standing Committee on Parliamentary privilege and Ethics inquire into and report on:
- (a) the suitability and contemporary relevance of the present provisions under the *Constitution Act 1902* relating to Members of Parliament:
    - (i) having contracts or agreements with the public Service, or
    - (ii) holding offices of profit under the Crown, and
  - (b) proposals for reform of those provisions.

4.3 **Date and source of reference:** 24 June 1997, Legislative Council  
(the Hon Michael Egan, MLC)

4.4 **Status of inquiry:** Completed

#### Outcomes/comments

- 4.5 The Committee tabled its report on the inquiry on 21 March 2002. The report concluded that the current constitutional provisions relating to Members holding of government contracts or offices are archaic, unclear, and unworkable, and recommended that they be repealed. The Committee also recommended that legislation be introduced to clarify the powers and privileges of the NSW Parliament, including the power to impose sanctions on Members.

## Special Report from General Purpose Standing Committee No. 3 on possible breaches of privilege

### Terms of reference

- 4.6** 1. That Report No. 6 of General Purpose Standing Committee No. 3 entitled “Special Report on possible breaches of privilege arising from the inquiry into Cabramatta policing”, dated June 2001, be referred to the Standing Committee on Parliamentary Privilege and Ethics for inquiry and report by 26 October 2001.
2. That for the purposes of this inquiry Mr Breen be appointed as a member of the Standing Committee on Parliamentary Privilege and Ethics in place of Mrs Sham-Ho.
- 4.7** **Date and source of reference:** 28 June 2001, Legislative Council  
(the Revd the Hon Fred Nile, MLC, on behalf of the Hon Helen Sham-Ho MLC)
- 4.8** **Status of inquiry:** Completed

### Outcomes/comments

- 4.9** In its report tabled on 13 November 2001, the Committee found that the actions of certain senior police officers had resulted in the intimidation of four police officers who had appeared as witnesses before General Purpose Standing Committee No. 3, and that this conduct amounted to a contempt of Parliament. However, the Committee found that the contempt was unintended, and recommended that no action be taken against the officers concerned in the circumstances.
- 4.10** While recommending no action in relation to the particular matter involved, the Committee made various recommendations designed to ensure that police management is aware of its obligations relating to parliamentary witnesses, and to strengthen the protection available to police officers who give evidence to parliamentary inquiries. It also recommended that the House refer to the Committee an inquiry on appropriate guidelines for dealing with unauthorised disclosures of committee proceedings, another matter which had been raised during the inquiry.
- 4.11** On 15 November 2001 the House referred an inquiry to the committee concerning guidelines for dealing with unauthorised disclosures. On 6 December 2001 the House adopted all of the Committee’s other recommendations arising from the inquiry.

## **Guidelines for dealing with unauthorised disclosure of committee proceedings**

### **Terms of reference**

- 4.12 That this House, having considered the recommendations of Report No. 13 of the Standing Committee on Parliamentary Privilege and Ethics entitled “Possible intimidation of witnesses before General Purpose Standing Committee No. 3 and unauthorised disclosure of committee evidence”, requests the Standing Committee on Parliamentary Privilege and Ethics to inquire into and report on appropriate guidelines for dealing with unauthorised disclosure of debates, reports or proceedings of Legislative Council committees.
- 4.13 **Date and source of reference:** 15 November 2001, Legislative Council  
(the Revd the Hon Fred Nile, MLC)
- 4.14 **Status of inquiry:** Ongoing

# General Purpose Standing Committees

## How to contact the committee

Members of the General Purpose Standing Committees can be contacted through the Committee Secretariat. Written correspondence and inquiries should be directed to:

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The Director

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General Purpose Standing Committees

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Legislative Council

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Parliament House, Macquarie Street

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Sydney New South Wales 2000

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Internet [www.parliament.nsw.gov.au](http://www.parliament.nsw.gov.au)

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Email [gpscno1@parliament.nsw.gov.au](mailto:gpscno1@parliament.nsw.gov.au)  
[gpscno2@parliament.nsw.gov.au](mailto:gpscno2@parliament.nsw.gov.au)  
[gpscno3@parliament.nsw.gov.au](mailto:gpscno3@parliament.nsw.gov.au)  
[gpscno4@parliament.nsw.gov.au](mailto:gpscno4@parliament.nsw.gov.au)  
[gpscno5@parliament.nsw.gov.au](mailto:gpscno5@parliament.nsw.gov.au)

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Telephone 61-2-9230 3544

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Facsimile 61-2-9230 3416

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## Chapter 5 General Purpose Standing Committees

### Statistical summary for General Purpose Standing Committees Nos 1-5

	2000-2001	2001-2002
<b>Number of inquiries</b>	23	22
Reports tabled	11	14
Recommendations	43	63
Meetings	84	93
<b>Public consultation</b>		
Number of submissions received	1,782	353
Number of hearings	46	53
Location – Parliament House	45	48
– other metropolitan	1	2
– regional NSW	–	3
Total duration	186 hours	213 hours
Number of witnesses	342	394
<b>Participants in other forms of consultation</b>		
Public forums	–	51
Site visits	82	25
Briefing	10	5
Signatories to petitions	–	400
<b>Total participants</b>	2,188	1,228

### Members' attendance records

5.1 See Appendix 1

## General Purpose Standing Committee No. 1 at a glance

### Committee membership

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**The Revd the Hon Fred Nile, MLC** Christian Democratic Party (Chair)

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**The Hon Tony Kelly, MLC** Australian Labor Party (Deputy Chair)

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**The Hon Patricia Forsythe, MLC** Liberal Party of Australia

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**The Hon Doug Moppett, MLC** Nation Party of Australia

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**The Hon Peter Primrose, MLC** Australian Labor Party

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**The Hon Henry Tsang, MLC** Australian Labor Party

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**The Hon Dr Peter Wong, MLC** Unity

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### References

#### 5.2 Current (as at 30 June 2002)

1. Review and Monitoring of the New South Wales Workers Compensation Scheme (Reference from the House, 28 June 2001)
2. Proposed Closure and Restructuring of Government Schools In Inner Sydney (Reference from the House, 10 April 2002)
3. Budget Estimates 2002-2003 (Reference from the House, 4 June 2003)

#### 5.3 Completed

1. Budget Estimates 2001-2002 (Reference from the House, 29 May 2001)



**Statistical summary**

	<b>2000-2001</b>	<b>2001-2002</b>
<b>Inquiries</b>	5	4
Reports tabled	4	4
Recommendations	10	–
Meetings	11	31
<b>Public consultation</b>		
Number of submissions received	–	138
Number of hearings	6	18
Location – Parliament House	6	17
– other metropolitan	–	1
Total duration	20 hours	78 hours
Number of witnesses	49	122
<b>Participants in other forms of consultation</b>		
Public forums	–	29
Site visits	–	12
Briefings	–	5
Signatories to petitions	–	400
<b>Total participants in inquiries</b>		706

## Current inquiries

### Review and Monitoring of the New South Wales Workers Compensation Scheme

#### Terms of reference

- 5.4**
1. That General Purpose Standing Committee No. 1, have the following functions:
    - (a) to monitor the financial position of the workers compensation scheme under the Workers Compensation Act 1987 and the Workplace Injury Management and Workers Compensation Act 1998, and
    - (b) to monitor and review the implementation and operation of the Workers Compensation Legislation Amendment Bill (No. 2) and the Workers Compensation Legislation Further Amendment Bill 2001, as finally passed by the Parliament,
    - (c) to investigate and report on the efficiency of the operation of the workers compensation system and the administration of the WorkCover Authority,
    - (d) to monitor the impact on premiums of the Bill.
  2. That the Committee be authorised to engage the services of:
    - (a) an actuary, who is a member of the Institute of Actuaries of Australia, and
    - (b) an accountant, who is a member of the Institute of Chartered Accountants in Australia or the Australian Society of Certified Practising Accountants,
 for the purpose of advising and assisting the Committee, as the Committee thinks fit, in relation to the Committee's functions.
  3. That the Committee:
    - (a) provide interim reports to the House each 3 months, and
    - (b) finally report to the House by 30 June 2002<sup>8</sup>
  4. Nothing in this resolution authorises the Committee to investigate a particular compensation claim.

<b>5.5</b>	<b>Date and source of reference:</b>	28 June, 2001, Legislative Council
<b>5.6</b>	<b>Status of Inquiry:</b>	On-going (as at 30 June 2002)
<b>5.7</b>	<b>Engagement of Consultant:</b>	The Committee contracted Ernst & Young ABC as consultant actuaries.

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<sup>8</sup> The reporting date for the final report was subsequently extended to 3 September 2002, following a motion in the House by the Chair on 9 April 2002.

<b>Reports tabled</b>
NSW Workers Compensation Scheme – First Interim Report, tabled 17 October 2001
NSW Workers Compensation Scheme – Second Interim Report, tabled 17 January 2002
NSW Workers Compensation Scheme – Third Interim Report, tabled 17 April 2002

## 5.8 Statistical summary

	<b>2001-2002</b>
<b>Public consultation</b>	
Number of submissions received	24
Number of hearings	9
Location – Parliament House	9
– other metropolitan	
Total duration	51 hours
Number of witnesses	60
<b>Participants in other forms of consultation</b>	
Public forums	15
Site visits	
Briefings	5
<b>Total participants in inquiries</b>	104

## Outcomes/comments

- 5.9 The three reports tabled within the year represent detailed and technical analysis of the operation of the new Workers Compensation Scheme. The use of a consulting actuary has greatly assisted the Committee in its understanding of the issues and of the information provided to it and, through these reports, to Parliament and the wider community. The inquiry process has engaged all the key stakeholders and has enabled useful internal documents of WorkCover to be put into the public domain, improving the transparency of the new scheme. The Final Report of the inquiry will contain the recommendations of the Committee.

## Proposed Closure and Restructuring of Government Schools in Inner Sydney

### Terms of reference

- 5.10**
1. That General Purpose Standing Committee No. 1 inquire into and report on the circumstances, processes, effects and short and long term consequences of the proposed closure and restructuring of government schools in inner Sydney, especially the closure of Hunters Hill High School, and in particular:
    - (a) the validity, relevance and veracity of the demographic and other evidence advanced or used in support of the proposed restructuring,
    - (b) the effectiveness and integrity of the public consultation processes used to develop the plan and to determine the closures of the schools,
    - (c) the accuracy and probity of the asset valuation process and the implications of conducting it before any assessment of the educational needs was completed,
    - (d) the role and functioning of the School Closure Committee and the validity of its findings,
    - (e) the risk to the future provision of school education arising from the loss of education sites in inner Sydney area,
    - (f) the impact of state government funding policies, enrolment policies and investment infrastructure for public school on the attractiveness of public schools,
    - (g) the impacts on availability of local comprehensive public education as an option for residents of inner Sydney,
    - (h) the impacts on the educational and social needs of children and young people with high welfare needs, and
    - (i) the development of appropriate measures to ensure that children forced to move schools are not disadvantaged.
  2. That the Committee report by 27 June 2002<sup>9</sup>.

**5.11 Date and source of reference:** 10 April 2002 Legislative Council

**5.12 Status of Inquiry:** On-going (as at 30 June 2002).

<sup>9</sup> The reporting date for the report was subsequently extended to 4 July 2002 following a motion in the House by the Chair on 27 June 2002.

### 5.13 Statistical summary

	2001-2002
<b>Public consultation</b>	
Number of submissions received	114
Number of hearings	4
Location – Parliament House	3
– other metropolitan	1
Total duration	17 hours
Number of witnesses	31
<b>Participants in other forms of consultation</b>	
Public forums	14
Site visits	12
Briefings	–
Signatories to petitions	400
<b>Total participants in inquiries</b>	571

### Outcomes/comments

- 5.14** Very shortly after the inquiry was announced the Education Minister announced that Marrickville and Dulwich High Schools would both be kept open, reversing previous plans.
- 5.15** There was a very high level of public interest in the inquiry, with 114 submissions, over 100 people attending a public hearing at Hunters Hill Town Hall and large attendances at the 3 Parliament House hearings. The inquiry also received extensive media coverage. At the conclusion of the inquiry Committee members and staff were thanked by some of the key community groups for the way in which the inquiry was conducted and for producing the report in such a short time frame.

## Examination of Budget Estimates 2002-2003

### Terms of reference

- 5.16**
- (1) That the Budget Estimates and related documents presenting the amounts to be appropriated from the Consolidated Fund be referred to the General Purpose Standing Committees for inquiry and report.
  - (2) That the Committees consider the Budget Estimates in accordance with the allocation of portfolios to the Committees.
  - (3) For the purposes of this inquiry any member of the House may attend a meeting of a Committee in relation to the Budget Estimates and question witnesses, participate in the deliberations of the Committee at such meeting and make a dissenting statement relating to the Budget Estimates, but may not vote or be counted for the purpose of any quorum.
  - (4) The Committees must hear evidence on the Budget Estimates in public.
  - (5) Not more than 3 Committees are to hear evidence on the Budget Estimates simultaneously.
  - (6) When a Committee hears evidence on the Budget Estimates, the Chair is to call on items of expenditure in the order decided on and declare the proposed expenditure open for examination.
  - (7) The Committees may ask for explanations from Ministers in the House, or officers of departments, statutory bodies or corporations, relating to the items of proposed expenditure.
  - (8) The report of a Committee on the Budget Estimates may propose the further consideration of any items.
  - (9) A daily Hansard record of the hearings of a Committee on the Budget Estimates is to be published as soon as practicable after each day's proceedings.
  - (10) The Committees have leave to sit during the sittings or any adjournment of the House.
  - (11) That initial hearings of Committees be according to a schedule prepared and circulated by the Leader of the Government.
  - (12) The Committees may hold supplementary hearings as required.
  - (13) The Committees present a final report to the House by Thursday 5 September 2002.
- 5.17 Source of reference:** 4 June 2002, Legislative Council
- 5.18 Status of inquiry:** Ongoing (as at 30 June 2002)

**5.19 Statistical summary**

	<b>2001-2002</b>
<b>Public consultation</b>	
Number of meetings	5
Number of hearings	5
Location – Parliament House	5
Total duration	10 hours
Number of witnesses	31
<b>Total participants in inquiries</b>	<b>31</b>

**Outcomes/comments**

**5.20** Budget Estimates reports are published as a guide to the transcripts of hearings, and answers received to question on notice are put on the Committee's website. Budget Estimates transcripts are frequently used by members in other inquiries as a source of information for questions to government authorities.

## Completed inquiries

### Examination of Budget Estimates 2001-2002

#### Terms of reference

- 5.21**
- (1) That the Budget Estimates and related documents presenting the amounts to be appropriated from the Consolidated Fund be referred to the General Purpose Standing Committees for inquiry and report.
  - (2) That the Committees consider the Budget Estimates in accordance with the allocation of portfolios to the Committees.
  - (3) For the purposes of this inquiry any Member of the House may attend a meeting of a Committee in relation to the Budget Estimates and question witnesses, participate in the deliberations of the Committee at such meeting and make a dissenting statement relating to the Budget Estimates, but may not vote or be counted for the purpose of any quorum.
  - (4) The Committees must hear evidence on the Budget Estimates in public.
  - (5) Not more than 3 Committees are to hear evidence on the Budget Estimates simultaneously.
  - (6) When a Committee hears evidence on the Budget Estimates, the Chair is to call on items of expenditure in the order decided on and declare the proposed expenditure open for examination.
  - (7) The Committees may ask for explanations from Ministers in the House, or officers of departments, statutory bodies or corporations, relating to the items of proposed expenditure.
  - (8) The report of a Committee on the Budget Estimates may propose the further consideration of any items.
  - (9) A daily Hansard record of the hearings of a Committee on the Budget Estimates is to be published as soon as practicable after each day's proceedings.
  - (10) The Committees have leave to sit during the sittings or any adjournment of the House.
  - (11) The Committees present a final report to the House by Thursday 6 September 2001.

**5.22**      **Date and source of reference:**      29 May 2001, Legislative Council (the Hon Eddie Obeid MLC)

**5.23**      **Status of inquiry:**      Completed

<b>Reports tabled</b>
Budget Estimates 2001-2002 (Tabled 6 September 2001)

**5.24**      Budget Estimates reports are published as a guide to the transcripts of hearings, and answers received to question on notice are put on the Committee's website. Budget Estimates transcripts are frequently used by members in other inquiries as a source of information for questions to government authorities.



## General Purpose Standing Committee No 2 at a glance

### Committee membership

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**The Hon Dr Brian Pezzutti, RFD, MLC** Liberal Party of Australia (Chair)

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**The Hon Dr Arthur Chesterfield-Evans, MLC** Australian Democrats (Deputy Chair)

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**The Hon Alan Corbett, MLC** A Better Future for our Children

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**The Hon Ron Dyer, MLC** Australian Labor Party

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**The Hon Doug Moppett, MLC** National Party of Australia

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**The Hon Amanda Fazio, MLC** Australian Labor Party

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**The Hon Henry Tsang, MLC** Australian Labor Party

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### References

#### 5.25 Current (as at 30 June 2002)

1. Budget Estimates 2002-2003 (Reference from the House, 4 June 2002)
2. Quality of Care for Public Patients and Value for Money in Major Non-Metropolitan Hospitals in New South Wales (Self-referral, 10 April 2001)

#### 5.26 Completed

1. Disability Advocacy Funding (Self-referral, 10 April 2001)
2. Budget Estimates 2001-2002 (Reference from the House, 29 May 2001)

**Statistical summary**

	2000-2001	2001-2002
<b>Inquiries</b>	4	4
Reports tabled	1	3
Recommendations	–	9
Meetings	8	18
<b>Public consultation</b>		
Number of submissions received	–	4
Number of hearings	8	11
Location – Parliament House	8	10
– other metropolitan	–	–
– other regional	–	1
Total duration	23 hours	32.5 hours
Number of witnesses	41	47
<b>Participants in other forms of consultation</b>		
Public forums	–	9
Site visits	–	1
Briefings	–	–
<b>Total participants in inquiries</b>	41	61

## Current inquiries

### Examination of Budget Estimates 2002-2003

#### Terms of reference

5.27 Refer to paragraph 5.13 above.

5.28 **Date and source of reference:** 4 June 2002, Legislative Council

5.29 **Status of inquiry:** On-going (as at 30 June 2002).

#### 5.30 Statistical summary

Public consultation	2001-2002
Number of meetings	4
Number of hearings	4
Location – Parliament House	4
Total duration	8 hours
Number of witnesses	25
<b>Total participants</b>	25

#### Outcomes/comments

5.31 Budget Estimates reports are published as a guide to the transcripts of hearings, and answers received to question on notice are put on the Committee's website. Budget Estimates transcripts are frequently used by members in other inquiries as a source of information for questions to government authorities.

## Quality of Care for Public Patients and Value for Money in Major Non-Metropolitan Hospitals in New South Wales

### Terms of Reference

- 5.32** That the General Purpose Standing Committee No. 2 inquire into and report upon the following matters concerning the quality of care for public patients and value for money in major non-metropolitan hospitals throughout New South Wales.
- (a) The implementation of quality of care and value for money indicators in public and contracted major non-metropolitan hospitals during the period 1995 to 2001.
  - (b) Mechanisms for comparing quality of care and value for money between these hospitals.
  - (c) Progress in improving quality of care and value for money and reducing variability in quality of care in these hospitals during the period 1995 to 2001.
  - (d) The strategies and measures in place or proposed for improving the quality of care and value for money and for reducing the variability in quality of care in these hospitals for the period 2001 to 2003.

**5.33** **Date and source of reference:** Self referral, 11 April 2001

**5.34** **Status of inquiry:** On-going (as at 30 June 2002)

<b>Reports tabled</b>
Quality of Care for Public Patients and Value for Money in Major Non-metropolitan Hospitals in NSW: Discussion Paper (Tabled 6 March 2002)

### 5.35 Statistical summary

<b>Public consultation</b>	<b>2001-2002</b>
Submissions received	4
Number of hearings	7
Location – Parliament House	6
– other metropolitan	
– other regional	1
Total duration	24.5 hours
Number of witnesses	22
<b>Participants in other forms of consultation</b>	
Public forums	9
Site visits	1
Briefings	
<b>Total participants</b>	<b>36</b>

**5.36** The discussion paper produced was distributed to all major non-metropolitan hospitals in NSW for public display, with agreement from NSW Health.

**5.37** During the first inquiry and shortly after a Committee hearing the Director General of NSW Health travelled to Port Macquarie and negotiated with the management of Port Macquarie Hospital to implement a Four Point Plan. This addressed many of the concerns which had been raised with the Committee by Port Macquarie and surrounding communities in that the privately owned public hospital was being treated differently to other non-metropolitan public hospitals.

## Completed inquiries

### Disability Advocacy Funding

#### Terms of Reference

**5.38** That General Purpose Standing Committee No. 2 inquire into the decision of the Minister for Disability Services and Ageing and Disability Department to subject the funding of grants to peak, advocacy, information and related disability service providers to competitive tender.

The Committee shall take into consideration:

- (1) The adequacy of consultations between the Minister and the Department with advocacy groups preceding and following the decision to change the current funding arrangements.
- (2) The possible impacts affecting the operation of organisations subject to the proposed funding arrangement.
- (3) Any possible impacts on the representative structure of the non-government disability advocacy sector and the effects on people with disabilities and their families in NSW.
- (4) The implications of implementing competitive tendering in the community services sector, particularly in relation to systemic advocacy.

**5.39** **Date and source of reference:** Self referral, 11 April 2001

**5.40** **Status of inquiry:** Completed

<b>Reports tabled</b>
Report on Inquiry into Disability Advocacy Funding (Tabled 24 July 2001)

#### Outcomes/comments

**5.41** The inquiry produced a report which provided an analysis of the key issues. The main activity of the inquiry occurred during the previous year.

## Examination of Budget Estimates 2001-2002

### Terms of reference

5.42 Refer to paragraph 5.17 above.

5.43 **Date and source of reference:** 29 May 2001, Legislative Council

5.44 **Status of inquiry:** Completed

<b>Reports tabled</b>
Budget Estimates 2001-2002 (Tabled 6 September 2001)

### Outcomes/comments

5.45 Budget Estimates reports are published as a guide to the transcripts of hearings, and answers received to question on notice are put on the Committee's website. Budget Estimates transcripts are frequently used by members in other inquiries as a source of information for questions to government authorities.

## General Purpose Standing Committee No. 3 at a glance

### Committee membership

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**The Hon Helen Sham-Ho, MLC** Independent (Chair)

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**The Hon John Hatzistergos, MLC** Australian Labor Party (Deputy Chair)

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**The Hon Peter Primrose, MLC** Australian Labor Party

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**Ms Lee Rhiannon, MLC** The Greens

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**The Hon James Samios, MLC** Liberal Party of Australia

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**The Hon Greg Pearce, MLC** Liberal Party of Australia

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**The Hon Ian West, MLC** Australian Labor Party

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### References

#### 5.46 Current (as at 30 June 2002)

1. Review of the Inquiry into Cabramatta Policing (Self-referral, 26 July 2001)
2. Aspects of the Department of Corrective Services (Self-referral, 21 March 2002)
3. Budget Estimates 2002-2003 (Reference from the House, 4 June 2002)

#### 5.47 Completed

1. Police Resources in Cabramatta (Self-referral, 29 June 2000)
2. Budget Estimates 2001-2002 (Reference from the House, 29 May 2001)



**Statistical summary**

	<b>2000-2001</b>	<b>2001-2002</b>
<b>Inquiries</b>	3	5
Reports tabled	1	2
Recommendations	–	25
Meetings	21	17
<b>Public consultation</b>		
Number of submissions received	31	15
Number of hearings	14	9
Location – Parliament House	13	9
– other metropolitan	1	1
– other regional	–	–
Total duration	68 hours	31 hours
Number of witnesses	30	45
<b>Participants in other forms of consultations</b>		
Public forums	–	13
Site visits	60	–
Briefings	–	–
<b>Total participants</b>	140	73

## Current inquiries

### Review of Inquiry into Cabramatta Policing

#### Terms of reference

**5.48** In the final chapter of the *Cabramatta Policing* report the Committee reported concerns of sections of the Cabramatta community that, once the inquiry had concluded, many of the promises made to the people of Cabramatta during the inquiry would be given a lower priority. For that reason the final recommendation of the report recommended that:

The Premier report to Parliament on, or around, 27 March 2002 on the outcomes of the implementation of the package of initiatives for Cabramatta announced on 27 March 2001, together with the implementation of the recommendations contained in this report.

It is the intention of the Committee to then consult with the Cabramatta community, to enable the community to have an opportunity to comment on the changes that have occurred as a result of the implementation of the Premier's initiatives and the implementation of the Committee's recommendations.

**5.49** In conducting the Review the Committee has sought input on the following two issues:

*What has changed with policing in the Cabramatta area since March 2001, including police/ community relationships?*

*What changes are still required in relation to policing in the Cabramatta area?*

**5.50** **Status of inquiry:** On-going (as at 30 June 2002)

**5.51** **Statistical summary**

	2001-2002
<b>Public consultation</b>	
Number of submissions received	15
Number of hearings	2
Location – Parliament House	1
– other metropolitan	1
Total duration	15.5 hours
Number of witnesses	16
<b>Participants in other forms of consultations</b>	
Public forums	13
<b>Total participants</b>	44

#### Outcomes/comments

**5.52** The inquiry is intended primarily as an examination of the outcomes of the main inquiry and was ongoing at the time covered by this report. The community forum and public hearing held on 24 May 2002 was well attended with many participants.

## Aspects of the Department of Corrective Services

### Terms of reference

- 5.53** That General Purpose Standing Committee No. 3 inquire and report on:
- (a) the procedures for the appointment of the Commissioner, Assistant Commissioners and Governors of the Department of Corrective Services, and circumstances relating to these recent appointments.
  - (b) Whether associations between these senior officers in the Department of Corrective Services and prisoners are at all times appropriate, and undertaken with integrity and professionalism and whether proper disciplinary action is initiated when required.
- 5.54** **Date and source of reference:** 21 March 2002, Self-referral.
- 5.55** **Status of inquiry:** On-going (as at 30 June 2002).
- 5.56** **Statistical summary**

<b>Public consultation</b>	<b>2001-2002</b>
Number of hearings	2
Location – Parliament House	2
Total duration	5.25 hours
Number of witnesses	4
<b>Total participants</b>	4

### Outcomes/comments

- 5.57** It is anticipated that the inquiry will be completed in July 2002.

## Examination of Budget Estimates 2002-2003

### Terms of reference

5.58 Refer to paragraph 5.13 above.

5.59 **Date and source of reference:** 4 June 2002, Legislative Council

5.60 **Status of inquiry:** Ongoing (as at 30 June 2002)

### 5.61 Statistical summary

<b>Public consultation</b>	<b>2001-2002</b>
Number of meetings	5
Number of hearings	5
Location – Parliament House	5
Total duration	10.25 hours
Number of witnesses	25
<b>Total participants</b>	25

### Outcomes/comments

5.62 Budget Estimates reports are published as a guide to the transcripts of hearings, and answers received to question on notice are put on the Committee's website. Budget Estimates transcripts are frequently used by members in other inquiries as a source of information for questions to government authorities.

## Completed inquiries

### Police Resources in Cabramatta

#### Terms of Reference

**5.63** That General Purpose Standing Committee No 3 inquire into and report on:

- (1) the adequacy of police resources in Cabramatta, especially in relation to drug crime;
- (2) the impact, if any, of the crime index on Cabramatta policing; and
- (3) the effectiveness of the Police Service in addressing the needs and problems of Cabramatta residents and in particular people from non-English speaking backgrounds.

**5.64** **Date and source of reference:** 29 June 2000, Self referral

**5.65** **Status of inquiry:** Completed

Reports tabled
Cabramatta Policing (Tabled 26 July 2001)

#### Outcomes/comments

**5.66** The report received intense media attention prior to and upon its release. Many changes have occurred to the management of NSW Police in subsequent months, and, arguably, the inquiry and report contributed to these changes. The Police Minister retired to be replaced by the Hon Michael Costa, whose first day as Minister included a visit to Cabramatta LAC. The Police Commissioner resigned in 2002 to be replaced by Commissioner Ken Moroney.

**5.67** The Government announced that it would build a new police station in Cabramatta at a cost of \$12 million, and continued to implement a series of initiatives announced in March 2001 as the “Cabramatta Package”. In April 2002 the Government released a 60 page report entitled “Cabramatta- A Progress Report” which reported on improvements in policing drug crime in Cabramatta since the Committee’s inquiry and report on the response to the Committee’s recommendations. The government has advised that 19 of the Committee’s 25 recommendations have either been implemented or will be implemented.

**5.68** A Cabinet sub-committee continues to have the responsibility to oversee the implementation of both the Committee’s recommendations and the government’s Cabramatta package. The Bureau of Crime Statistics and Research in June 2002 also released a report which indicated crime levels in Cabramatta had declined more rapidly than in other areas of Sydney in some categories in the period during and since the Committee’s inquiry.

## Examination of Budget Estimates 2001-2002

### Terms of reference

5.69 Refer to paragraph 5.17 above.

5.70 **Date and source of reference:** 29 May 2001, Legislative Council

5.71 **Status of inquiry:** Completed

Reports tabled
Budget Estimates 2001-2002 (Tabled 6 September 2001)

### Outcomes/comments

5.72 Budget Estimates reports are published as a guide to the transcripts of hearings, and answers received to question on notice are put on the Committee's website. Budget Estimates transcripts are frequently used by members in other inquiries as a source of information for questions to government authorities

## General Purpose Standing Committee No. 4 at a glance

### Committee membership

<b>The Hon Jenny Gardiner, MLC</b> National Party of Australia (Chair)
<b>The Hon Ian Cohen, MLC</b> The Greens (Deputy Chair)
<b>The Hon Jan Burnswoods, MLC</b> Australian Labor Party
<b>The Hon Charlie Lynn, MLC</b> Liberal Party of Australia
<b>The Hon Ian Macdonald, MLC</b> Australian Labor Party
<b>The Hon David Oldfield, MLC</b> Pauline Hanson's One Nation
<b>The Hon Janelle Saffin, MLC</b> Australian Labor Party

### References

#### 5.73 Current (as at 30 June 2002)

- Budget Estimates 2002-2003  
(Reference from the House, 4 June 2002)

#### 5.74 Completed

- Budget Estimates 2001-2002  
(Reference from the House, 29 May 2001)

### Statistical summary

	2000-2001	2001-2002
<b>Inquiries</b>	3	2
Reports tabled	2	1
Recommendations	15	–
Meetings	10	5
<b>Public consultation</b>		
Number of submissions	40	–
Number of hearings	8	4
Location – Parliament House	8	4
Total duration	27 hours	8 hours
Number of witnesses	84	36
<b>Total participants in inquiries</b>	124	36

## Current inquiry

### Examination of Budget Estimates 2002-2003

#### Terms of reference

5.75 Refer to paragraph 5.13 above.

5.76 **Date and source of reference:** 4 June 2002, Legislative Council

5.77 **Status of inquiry:** Ongoing (as at 30 June 2002)

#### 5.78 Statistical summary

Public consultation	2001-2002
Number of meetings	4
Number of hearings	4
Location – Parliament House	4
Total duration	8 hours
Number of witnesses	36
<b>Total participants</b>	<b>36</b>

#### Outcomes/comments

5.79 Budget Estimates reports are published as a guide to the transcripts of hearings, and answers received to question on notice are put on the Committee's website. Budget Estimates transcripts are frequently used by members in other inquiries as a source of information for questions to government authorities



## Completed Inquiries

### Examination of Budget Estimates 2001-2002

#### Terms of reference

5.80 Refer to paragraph 5.17 above.

5.81 **Date and source of reference:** 29 May 2001, Legislative Council

5.82 **Status of inquiry:** Completed

<b>Reports tabled</b>
Budget Estimates 2001-2002 (Tabled 6 September 2001)

#### Outcomes/comments

5.83 Budget Estimates reports are published as a guide to the transcripts of hearings, and answers received to question on notice are put on the Committee's website. Budget Estimates transcripts are frequently used by members in other inquiries as a source of information for questions to government authorities

## General Purpose Standing Committee No 5 at a glance

### Committee membership

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**The Hon Richard Jones, MLC** Independent (Chair)

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**Jan Burnswoods, MLC** Australian Labor Party (Deputy Chair)

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**The Hon Richard Colless, MLC** National Party of Australia

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**The Hon Amanda Fazio, MLC** Australian Labor Party

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**The Hon Malcolm Jones, MLC** Outdoor Recreation Party

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**The Hon John Jobling, MLC** Liberal Party of Australia

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**The Hon Janelle Saffin, MLC** Australian Labor Party

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### References

#### 5.84 Current (as at 30 June 2002)

1. Feral Animals (Self-referral 30 May 2001)
2. TransGrid Landclearing (Reference from the House, 20 June 2001)
3. Budget Estimates 2002-2003 (Reference from the House, 4 June 2002)

#### 5.85 Completed

1. Hawkesbury-Nepean Catchment Management Trust (Reference from the House, 7 June 2001).
2. Sydney Water's Biosolids Strategy (Self-referral, 18 August 2000)
3. M5 East Ventilation Stack (2001) (Self-referral, 14 March 2001)
4. Budget Estimates 2001-2002 (Reference from the House, 29 May 2001).

**Statistical summary**

	<b>2000-2001</b>	<b>2001-2002</b>
<b>Inquiries</b>	8	7
Reports tabled	3	4
Recommendations	18	29
Meetings	25	22
<b>Public consultation</b>		
Number of submissions received	1,656	196
Number of hearings	10	11
Location – Parliament House	10	9
– other metropolitan	–	–
– other regional	–	2
Total duration	48 hours	63.25 hours
Number of witnesses	111	144
<b>Participants in other forms of consultation</b>		
Public forums	–	–
Site visits	27	12
Briefings	–	–
<b>Total participants</b>	1,777	352

## Current inquiries

### Feral Animals

#### Terms of Reference

- 5.86** That General Purpose Standing Committee No 5 inquire into and report upon:
- (1) the damage caused by feral animals to the environment across all land tenures;
  - (2) the current and future threat of feral animals to native flora and fauna across all land tenures, including national parks, private land holdings, other publicly owned land etc;
  - (3) the adequacy of current practices and resources for feral animal control;
  - (4) improvements for current practices, and alternative solutions for feral animal control; and
  - (5) any other relevant matters.

**5.87** **Date and source of reference:** Self referral, 30 May 2001

**5.88** **Status of inquiry:** Ongoing (as at 30 June 2002)

#### 5.89 Statistical summary

<b>Public consultation</b>	<b>2001-2002</b>
Number of submissions received	136
Number of hearings	4
Location – Parliament House	2
– other metropolitan	
– other regional	2
Total duration	41.75 hours
Number of witnesses	74
<b>Participants in other forms of consultation</b>	
Public forums	
Site visits	12
Briefings	
<b>Total participants</b>	<b>222</b>

#### Outcomes/comments

- 5.90** Although the inquiry is ongoing it has generated a great deal of interest from regional areas both in terms of submissions and in participation in the regional hearings held. The co-operation of many government agencies during this inquiry is a positive indication that the inquiry may be able to achieve some progress in an area which is of major concern to many rural landholders across the state.

## TransGrid landclearing

### Terms of reference

- 5.91**
1. That General Purpose Standing Committee No. 5 inquire into and report on the clearing and overclearing of land in the vicinity of TransGrid transmission lines in the northern Kosciuszko region, and in particular:
    - (a) the level of environmental damage caused to Kosciuszko National Park, Brindabella National Park, Namadgi National Park, Bago State Forest and Bimberi Nature Reserve,
    - (b) the measures required to effectively remediate the area to ensure the long-term viability of the area,
    - (c) the total costs associated with the remediation of the area and liability for such costs,
    - (d) the extent of communication between, and the involvement and response of, the following agencies:
      - State Forests,
      - The National Parks and Wildlife Service,
      - The Environment Protection Authority, and
      - The Department of Land and Water Conservation,
    - (e) the adequacy of the present controls on the management and use of easements for transmission lines, pipelines and roads in national parks, State forests and nature reserves,
    - (f) the use of timber, bush rock or soil removed from cleared areas,
    - (g) measures to prevent any further inappropriate clearing and overclearing in national parks, State forests and nature reserves.
  2. That in relation to any cross-border issues with the Australian Capital Territory, the committee be authorised to meet with relevant committees of the Australian Capital Territory Legislative Assembly.
  3. That the committee report by Tuesday 18 September 2001.
- 5.92**      **Date and source of reference:**                      20 June 2001, Legislative Council
- 5.93**      **Status of inquiry**    On-going (as at 30 June 2002).

**5.94 Statistical summary**

<b>Public consultation</b>	<b>2001-2002</b>
Number of submissions received	13
Number of hearings	–
Location – Parliament House	–
– other metropolitan	–
– other regional	–
Total duration	–
Number of witnesses	–
<b>Participants in other forms of consultation</b>	
Public forums	–
Site visits	–
Briefings	–
<b>Total participants</b>	13

**Outcomes/comments**

**5.95** The inquiry has been deferred by the Committee while the status of legal proceedings against TransGrid is clarified.

## Budget Estimates 2002–2003

### Terms of Reference

5.96 See paragraph 5.13 above.

5.97 **Status of inquiry:** Ongoing (as at 30 June 2002)

5.98 **Statistical summary**

<b>Public consultation</b>	<b>2001-2002</b>
Number of submissions received	5
Number of hearings	5
Location – Parliament House	5
Total duration	10.5 hours
Number of witnesses	46
<b>Total participants</b>	<b>46</b>

### Outcomes/comments

5.99 Budget Estimates reports are published as a guide to the transcripts of hearings, and answers received to question on notice are put on the Committee's website. Budget Estimates transcripts are frequently used by members in other inquiries as a source of information for questions to government authorities

## Completed inquiries

### Hawkesbury-Nepean Catchment Management Trust

#### Terms of Reference

- 5.100** 1. That General Purpose Standing Committee No. 5 inquire into and report on the abolition of the Hawkesbury-Nepean Catchment Management Trust, and in particular:
- (a) the reasons for the abolition of the Trust,
  - (b) the level and adequacy of the consultation undertaken on abolition of the Trust,
  - (c) whether any act or omission of the Trust may have impacted on the decision to abolish the Trust, and in particular the Trust's opposition to the proposed development of the ADI site at St Mary's and other major developments in the South Creek catchment of the Hawkesbury Nepean,
  - (d) the impact of the abolition of the Trust on the environment of the Hawkesbury Nepean Catchment,
  - (e) the effectiveness of the Trust in improving the health of the Hawkesbury Nepean Catchment,
  - (f) the effect of Government activities on the ability of the Trust to carry out its functions,
  - (g) the costs and benefits of transferring the functions of the Trust to the Department of Land and Water Conservation,
  - (h) the level of public confidence in the ability of the Department of Land and Water Conservation to carry out the functions and programs of the Trust,
  - (i) the appropriateness of the Department of Land and Water Conservation to implement the Hawkesbury Nepean Strategic Plan prepared by the Trust,
  - (j) the appropriateness of the Department of Land and Water Conservation to fulfil the major strategic role identified for the Trust in delivering the goals of the proposed Statement of Joint Intent for the Hawkesbury Nepean River System.

2. That the Committee report by Friday 30 November 2001<sup>10</sup>.

**5.101 Date and source of reference:** Reference from the House, 7 June 2001

**5.102 Status of inquiry:** Completed

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<sup>10</sup> The reporting date was subsequently extended to 27 February 2002 following a motion in the House by the Chair on 14 November 2001



<b>Reports tabled</b>
Abolition of the Hawkesbury-Nepean Catchment Management Trust (Tabled 12 March 2002)

**5.103 Statistical summary**

<b>Public consultation</b>	<b>2001-2002</b>
Number of submissions received	47
Number of hearings	1
Location – Parliament House	1
Total duration	7 hours
Number of witnesses	16
<b>Total participants</b>	<b>63</b>

**Outcomes/comments**

- 5.104** The report produced identified that the decision to abolish the Trust was made at a political level rather than on advice from the Department. While the report provides a record of the achievements of the Trust and the community support it enjoyed there has been no change in the government's position.

## Sydney Water's Biosolids Strategy

### Terms of Reference

- 5.105** 1. That General Purpose Standing Committee No 5 inquire into and report on Sydney Water's Biosolids Strategy, and in particular:
- (a) evaluate the options presented for public consultation;
  - (b) examine the scope the selected options provide for decentralisation and devolving of the system;
  - (c) examine the consultation process to determine its integrity;
  - (d) evaluate the implementation of recommendations relating to the treatment of biosolids from previous parliamentary inquiries and reports on Sydney Water;
  - (e) evaluate whether the biosolids strategy is consistent with the consent conditions imposed on the Northside Storage Tunnel by the Department of Urban Affairs and Planning; and
  - (f) consider Sydney Water's options for a Biosolids Strategy for North Head.

**5.106** **Date and source of reference:** Self referral, 18 August 2000

**5.107** **Status of inquiry:** Completed

<b>Reports tabled</b>
Sydney Water's Biosolids Strategy (Tabled 29 November 2001)

**5.108** **Statistical summary**

<b>Public consultation</b>	<b>2001-2002</b>
Number of submissions received	–
Number of hearings	1
Location – Parliament House	1
Total duration	4 hours
Number of witnesses	8
<b>Total participants</b>	<b>8</b>

### Comments/Outcomes

- 5.109** A report was produced detailing a number of issues of concern. The Committee is awaiting a Government Response, as requested by the Legislative Council.

## M5 East Ventilation Stack (2001)

### Terms of Reference

- 5.110** That General Purpose Standing Committee No 5 inquire into and report on:
- (a) the implementation of the recommendations of the General Purpose Standing Committee No 5 report on the Inquiry into the M5 East Ventilation Stack; the International Tunnel Ventilation workshop, Sydney Australia 7-9 June 2000; the CSIRO and Department of Urban Affairs and Planning conditions of approval for the M5 East Ventilation Stack;
  - (b) the effectiveness and adequacy of the property value guarantee offer made to residents affected by the M5 East Ventilation Stack by the Minister on 13 February 2001;
  - (c) the reasons for and methodology used to determine the nature and scope of the property value guarantee offer made to residents affected by the M5 East Ventilation Stack by the Minister on 13 February 2001; and
  - (d) the economic and greenhouse implications of the energy needs of the M5 East Ventilation Stack.

**5.111** **Date and source of reference:** Self-referral, 26 March 2001

**5.112** **Status of inquiry:** Completed

<b>Reports tabled</b>
M5 East Ventilation Stack 2001 (Tabled 23 July 2001)

### Outcomes/comments

- 5.113** The M5 Tunnel opened subsequent to the release of this report and has continued to be the subject of considerable attention in the media and the Parliament.

## Examination of Budget Estimates 2001-2002

### Terms of reference

5.114 Refer to paragraph 5.17

5.115 **Date and source of reference:** 29 May 2001, Legislative Council

5.116 **Status of inquiry:** Completed

5.117

<b>Reports tabled</b>
Budget Estimates 2001-2002 (Tabled 6 September 2001)

### Outcomes/comments

5.118 Budget Estimates reports are published as a guide to the transcripts of hearings, and answers received to question on notice are put on the Committee's website. Budget Estimates transcripts are frequently used by members in other inquiries as a source of information for questions to government authorities

## Select Committees

## How to contact the Select Committees

Members of the Legislative Council Select Committees can be contacted through the Committee Secretariat. Written correspondence and inquiries should be directed to:

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Director

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Legislative Council Select Committees

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Legislative Council

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Parliament House, Macquarie Street

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Sydney New South Wales 2000

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Internet [www.parliament.nsw.gov.au](http://www.parliament.nsw.gov.au)

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Email [scmh@parliament.nsw.gov.au](mailto:scmh@parliament.nsw.gov.au)

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Telephone 61-2-9230 2193

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Facsimile 61-2-9230 2981

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## Chapter 6      **Select Committees on Increase in Prisoner Population**

### Committee membership

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**The Hon John Ryan, MLC** Liberal Party of Australia (Chair)

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**Ms Lee Rhiannon, MLC** The Greens (Deputy Chair)

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**The Hon Jan Burnswoods, MLC** Australian Labor Party

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**The Hon Dr Arthur Chesterfield-Evans, MLC** Australian Democrats

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**The Hon Jenny Gardiner, MLC** National Party of Australia

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**The Hon Peter Primrose, MLC** Australian Labor Party

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**The Hon Janelle Saffin, MLC** Australian Labor Party

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### Terms of Reference<sup>11</sup>

- 6.1**
1. That a Select Committee be appointed to inquire into and report on:
    - (a) the factors responsible for, and the consequences of, the increase in prisoner population since 1995 (being 40% in females and 20% in males),
    - (b) issues relating to incarceration, including but not limited to the matters in paragraphs 2 and 3.
  2. That, in relation to women, the Committee consider:
    - (a) the effectiveness of imprisonment as a response to all women who are currently sentenced, including those with special needs, such as women with intellectual, physical and psychiatric disabilities,
    - (b) the effectiveness of imprisonment as a response to Aboriginal women who are sentenced,
    - (c) the effectiveness of imprisonment as a response to women with non English speaking backgrounds who are sentenced,
    - (d) the effectiveness of using the prison to house all women who are remanded in custody, and using the key indicators of recidivism and cost effectiveness,
    - (e) the adequacy or otherwise of building a new women's prison as the most effective method of addressing the problems of increasing numbers of women in prison and the adequacy or otherwise of the plans, terms and conditions of any contract entered into or proposed to be entered into in relation to a new women's prison,
    - (f) the adequacy or otherwise of alternatives to incarceration, including those currently utilised in New South Wales and those trialed in other jurisdictions, which purport to deal effectively with female criminality,
    - (g) the wider social implications of incarcerating women in New South Wales,

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<sup>11</sup> *Minutes of the Proceedings of the Legislative Council*, No 58, August 2000

- (h) the factors responsible for the dramatic increase in the female prisoner population in the last four years,
  - (i) alternatives to incarceration and their adequacy or otherwise, including those currently utilised in New South Wales and those trialed in other jurisdictions, which purport to deal effectively with criminality,
  - (j) the effectiveness or otherwise of post release policies of the Department of Corrective Services and co-ordinating of integrated assistance to inmates by Government Departments, including Housing, Health and Community Services, with a view to reducing recidivism.
3. That, in relation to men, the Committee consider each of the matters set out in paragraph 2 (a) to (j), substituting the word "men" for "women" wherever occurring and "male" for "female" wherever occurring.
4. That the Committee present an interim report dealing with the matters in paragraph 2 (a) to (j), in relation to women, by 1 May 2000 and a final report dealing with the remaining matters by 1 October 2000.
5. That, notwithstanding anything to the contrary in the Standing Orders, the Committee consist of the following members:
  - (a) 3 Government members nominated in writing to the Clerk of the House by the Leader of the Government,
  - (b) 2 Opposition members nominated in writing to the Clerk of the House by the Leader of the Opposition,
  - (c) Dr Chesterfield-Evans and Ms Rhiannon.
6. That the Committee have leave to sit during any adjournment of the House to adjourn from place to place, to make visits of inspection within New South Wales, and other States and Territories of Australia with the approval of the President, and have power to take evidence and to send for persons, papers, records and things, and to report from time to time.
7. That should the House stand adjourned and the Committee agree to any report before the House resumes sitting:
  - (a) the Committee have leave to send any such report, minutes of proceedings and evidence taken before it to the Clerk of the House,
  - (b) the document be printed and published and the Clerk forthwith take such action as is necessary to give effect to the order of the House,
  - (c) the document be laid on the Table of the House as its next sitting.
8. That on receipt of a request from the Committee for funding, the Government immediately provide the Legislative Council with such additional funds that the Committee considers necessary for the conduct of its inquiry.
9. That this House requests the Government to impose a moratorium on the building of a new prison for women at Windsor until the Government has considered the Committee's interim report to be presented in May 2000.

**6.2 Status of inquiry:** Completed



### Statistical summary

	2000-2001	2001-2002
<b>Inquiry</b>		
Reports Tabled	1	1
Recommendations	57	28
Meetings	13	4
<b>Public consultation</b>		
Number of submissions received	44	–
Number of hearings	8	–
Location – Sydney	6	
– regional NSW	2	
Total duration	52 hours	–
Number of witnesses	61	–
<b>Participants in other forms of consultations</b>		
Site visits	33	–
<b>Total participants</b>	138	

### Members' attendance record

Members	Meetings attended	Meetings held
The Hon John Ryan, MLC (Chair)	4	4
Ms Lee Rhiannon, MLC (Deputy Chair)	–	4
Ms Jan Burnswoods, MLC	3	4
The Hon Dr Arthur Chesterfield-Evans, MLC	4	4
The Hon Jenny Gardiner, MLC	2	4
The Hon Peter Primrose, MLC	4	4
The Hon Janelle Saffin, MLC	–	4

### Outcomes/comments

- 6.3** Interim report tabled 19 July 2000. Final report tabled 13 November 2001.

## Chapter 7 Select Committee on Mental Health

### Committee Membership

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**The Hon Dr Brian Pezzutti RFD, MLC** Liberal Party of Australia (Chair)

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**The Hon Peter Breen, MLC** Reform the Legal System

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**The Hon Dr Arthur Chesterfield-Evans MLC** Australian Democrats

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**The Hon Amanda Fazio, MLC** Australian Labor Party

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**The Hon John Hatzistergos, MLC** Australian Labor Party

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**The Hon Doug Moppett, MLC** National Party<sup>12</sup>

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**The Hon John Jobling, MLC** Liberal Party of Australia<sup>13</sup>

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### Reference

- 7.1** 1. That a Select Committee be appointed to inquire into and report on mental health services in New South Wales and in particular:
- (a) the changes which have taken place since the adoption of the Richmond Report,
  - (b) the impact of changes in psychiatric hospitalisation and/or asylum,
  - (c) levels and methods of funding of mental health services in NSW, including comparisons with other jurisdictions,
  - (d) community participation in, and integration of, mental health services,
  - (e) quality control of mental health services,
  - (f) staffing levels in NSW mental health services, including comparisons with other jurisdictions,
  - (g) the availability and mix of mental health services in NSW,
  - (h) data collection and outcome measures.
2. That the Committee table an interim report by 3 September 2002.

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<sup>12</sup> On 14 June 2002 the Hon Doug Moppett resigned from the Legislative Council. See *Minutes of the Proceedings of the Legislative Council*, 52<sup>nd</sup> Parliament, third session, 18 June 2002, item no 3.

<sup>13</sup> On 20 June 2002 the Hon John Jobling was appointed to the committee. See *Minutes of the Proceedings of the Legislative Council*, 52<sup>nd</sup> Parliament, third session, 20 June 2002, item no 3.

- 7.2 **Date and source of reference:** Reference from the House, 11 December 2001  
(the Hon Arthur Chesterfield-Evans, MLC)  
Reappointed by the House, 13 March 2002
- 7.3 **Status of inquiry:** Ongoing

### Statistical Summary

	2001-2002
<b>Inquiry</b>	
Reports tabled	–
Recommendations	–
<b>Meetings</b>	8
<b>Public consultation</b>	
Number of submissions received	284
Number of hearings	5
Location – Sydney	5
Total duration	35.5 hours
Number of witnesses	41
<b>Participants in other forms of consultations</b>	
Site visits – Sydney	–
– regional NSW	–
– outside NSW	–
<b>Total participants</b>	325

### Members' attendance record

Members	Meetings attended	Meetings held
The Hon Dr Brian Pezzutti, RFD, MLC (Chair)	8	8
The Hon Peter Breen, MLC	6	8
The Hon Dr Arthur Chesterfield-Evans MLC	8	8
The Hon Amanda Fazio, MLC	7	8
The Hon John Hatzistergos, MLC	7	8
The Hon Doug Moppett, MLC	4	8

**Outcomes/Comments**

- 7.4** The inquiry has generated considerable stakeholder interest, evidenced by the large number of submissions received. Consequently, the committee is undertaking an extensive hearing schedule which will cover most issues concerning mental health services in New South Wales. An interim report is due by 3 September 2002, with a final report anticipated later in the year.

# **Appendix 1**

## **Committee attendance**

**Committee attendance**

Law & Justice Issues State Dvlpt Priv & Ethics GPSC 1 GPSC 2 GPSC 3 GPSC 4 GPSC 5 GPSC 6 Prison Poptn Mental Health TOTALS Membership on Joint Committees

Government. Members	26																					
Burnswoods																					55	Children & Young People
Costa		3																			6	
Dyer	22																				49	
Fazio																					61	
Hatzistergos	20																				45	ICAC: Omb & PIC; Victims Comp
Johnson																					1	
Kelly		34																			62	
Macdonald																					6	
Primrose																					40	Children & Young People
Saffin	5																				43	Reg Review
Tsang																					42	Health Compl., Child & Young People
West		14																			67	

**Opposition. Members**

Colliss																							23	
Forsythe																							23	
Gallacher																							16	
Gardiner																							17	Omb & PIC
Gay																							7	
Harwin																							11	Reg Review, Children & Young People
Jobling																							19	Staysafe
Lynn																							6	
Moppett																							37	
Pearce																							31	
Pezzutti																							56	Health Complaints
Ryan	19																						37	ICAC
Samios																							10	

**Cross-Bench Members**

Breen	17																							30	Omb & PIC, Victims Comp
Chesterfield-Evans																								56	
Cohen		14																						18	
Corbett																								1	Children & Young People
Jones, M																								19	Reg Review
Jones, R																								21	
Nile, F																								42	
Nile, E																								-	
Oldfield																								4	ICAC
Rhiannon																								16	
Sham-Ho																								23	
Tingle																								-	Staysafe
Wong																								19	Health Complaints

Total: Includes partial attendance at meetings and attendance as a substitute Member. Does not include attendance as a participating Member.

## **Committees of the Parliament**

### **Standing Committees**

Standing Committee on Law and Justice

Standing Committee on Social Issues

Standing Committee on State Development

Standing Committee on Parliamentary Privilege and Ethics

General Purpose Standing Committees

### **Select Committees**

Select Committee on the Increase in Prisoner Population

Select Committee on Mental Health

### **Joint Statutory Committees**

Committee on the Independent Commission Against Corruption

Regulation Review Committee

Committee on the Office of the Ombudsman and the Police Integrity Commission

Committee on the Health Care Complaints Commission

Committee on Children and Young People

### **Joint Committees**

Joint Standing Committee on Road Safety

Joint Select Committee on Victims Compensation (51st Parliament)

## **Appendix 2**

### **Committee travel and expenditure**



## Committee travel and expenditure

### Standing Committee on Social Issues: 1 July 2001 to 30 June 2002

Date	Minute	Destination	In Attendance	Inquiry	Activity	Hours	Output	Costs
31 July 2001	63 & 64	Dubbo, Trangie, Coonamble & Quambone (New South Wales)	Burnswoods Moppett Chesterfield-Evans Fazio West Staff x 3	Early Intervention into Learning Difficulties	Public Hearing. 29 witnesses	13 hours	Issues Paper 4	Total \$4,526,99

Please note: Hours refer to time devoted to formal Committee business

**Standing Committee on State Development: 1 July 2001 to 30 June 2002**

<b>Date</b>	<b>Minute</b>	<b>Destination</b>	<b>In Attendance</b>	<b>Inquiry</b>	<b>Activity</b>	<b>Hours</b>	<b>Output</b>	<b>Costs</b>
10-12 July 2001	n/a	Parliament House, Canberra	Johnson Staff x 1	Inquiry into International competitiveness of Agriculture, Strengthening Rural Towns in NSW and Genetically Modified Food	Attend National Conference of Parliamentary Environment Committees and present paper	8	Presentation of paper to delegates	Total \$1,486.55
15 July – 1 August 2001	Record of meetings	Italy, Spain, Belgium, England, Ireland	Kelly Pezzutti Staff x 1	Inquiry into International competitiveness of Agriculture, Strengthening Rural Towns in NSW and Genetically Modified Food	20 site visits and meetings with officials	63	Report drafted – pending committee consideration and tabling in following year	Total \$50,613.69

### General Purpose Standing Committee No. 1: 1 July 2001 to 30 June 2002

Date	Minutes	Destination	In Attendance	Inquiry	Activity	Hours	Output	Costs
31 May 2002	75	HuntersHill/ Erskinvile/ Redfern	Nile Burnswoods Forsythe Tsang Primrose Harwin Staff x 4	Proposed closure and restructuring of inner city schools	Site visit: Hunters Hill High School. Public hearing and forum: Hunters Hill Town Hall. Site visit: Erskinville Public School. Site visit: Redfern Public School.	5 hrs 30 mins	Report pending	Total \$557.00

### General Purpose Standing Committee No. 2: 1 July 2001 to 30 June 2002

Date	Minutes	Destination	In Attendance	Inquiry	Activity	Hours	Output	Costs
22 May 2002	46	Port Macquarie	Pezzutti Chesterfield-Evans Dyer Moppett Staff x 4	Quality of care for public patients and value for money in major non-metropolitan hospitals in NSW	Site visit: Port Macquarie Base Hospital. Public Hearing and community consultation: Port Panthers, Port Macquarie.	7 hrs 30 mins	Report (pending at 30 June 2002, tabled in September)	Total \$5,141.30

### General Purpose Standing Committee No. 3: 1 July 2001 to 30 June 2002

Date	Minutes	Destination	In Attendance	Inquiry	Activity	Hours	Output	Costs
24 May 2002	55	Cabramatta	Sham-Ho Hatzistergos West Primrose Pearce Rhiannon Staff x 4	Review of Cabramatta Policing Inquiry	Public hearing and community consultation: Cabra Vale Diggers Club, Cabramatta.	6 hrs	Report pending	Total \$592.50

### General Purpose Standing Committee No. 5: 1 July 2001 to 30 June 2002

Date	Minutes	Destination	In Attendance	Inquiry	Activity	Hours	Output	Costs
7 February 2002	68	Cooma	R Jones Burnswoods Colliss Fazio Gay M Jones Hansard x 3 Staff x 2	Feral animals	Aerial inspection: Brindabella Valley. Public hearing: Cooma Returned Services Club. Overnight stay Nowra.	7 hrs 35 mins		Total \$3,339,99
8 February 2002	69	Nowra/ Lake Wollumboola	R Jones Burnswoods Colliss Fazio M Jones Hansard x 3 Staff x 2		Site visit: Lake Wollumboola little tern project. Presentation and discussion: NPWS office, Nowra.	4 hours		
3 April 2002	73	Armidale	R Jones Colliss Fazio Jobling M Jones Saffin Staff x 5	Feral animals	Public hearing: Armidale Ex-Service Club. Overnight stay: Armidale	8 hours 10 mins	Report pending	Total \$10,158.32
4 April 2002	74	Armidale/Oxley River/Northern Barnard River	R Jones Colliss Fazio Jobling M Jones Saffin Staff x 4		Site visit: aerial inspection Oxley River National Park and Northern Barnard River area/ Enmore/ New England Wild Dog Fence	7 hours 45 mins		

