
Minutes no. 1

Tuesday, 6 June 2023

Portfolio Committee No. 5 – Justice and Communities

Room 1043, Parliament House, Sydney, 11.32 am

1. Members present

Mr Borsak

Mr Donnelly

Mr Fang

Ms Higginson

Mrs Maclaren-Jones

Mr Murphy

Mr Primrose (substituting for Mr Lawrence)

2. Tabling of resolution establishing the committee

The Committee Clerk tabled the resolution of the House of 10 May 2023, and as amended on 24 May 2023 establishing the committee, which reads as follows:

That, notwithstanding anything to the contrary contained in the standing orders:

Appointment

1. Eight portfolio committees reflecting government ministers' portfolio responsibilities be appointed as follows:

- (a) **Portfolio Committee No. 1 – Premier and Finance**

Premier

Treasurer

Finance, Natural Resources

Industrial Relations, Work Health and Safety

The Legislature

Aboriginal Affairs and Treaty, Gaming and Racing, Veterans, the Central Coast, Medical Research

- (b) **Portfolio Committee No. 2 – Health**

Health, Regional Health, the Illawarra and the South Coast

Water, Housing, Homelessness, Mental Health, Youth, the North Coast

- (c) **Portfolio Committee No. 3 – Education**

Education and Early Learning, Western Sydney

Skills, TAFE, Tertiary Education, the Hunter

- (d) **Portfolio Committee No. 4 – Regional NSW**

Agriculture, Regional New South Wales, Western New South Wales

Small Business, Lands and Property, Multiculturalism, Sport

- (e) **Portfolio Committee No. 5 – Justice and Communities**

Attorney General

Police and Counter Terrorism

Families and Communities, Disability Inclusion

Women, Seniors, Prevention of Domestic Violence and Sexual Assault

- (f) **Portfolio Committee No. 6 – Transport and the Arts**
Transport
Special Minister of State, Roads, Arts, Music and the Night-time Economy, Jobs and Tourism
Regional Transport and Roads
- (g) **Portfolio Committee No. 7 – Planning and Environment**
Climate Change, Energy, the Environment, Heritage
Planning and Public Spaces
- (h) **Portfolio Committee No. 8 – Customer Service**
Local Government
Customer Service and Digital Government, Emergency Services, Youth Justice
Better Regulation and Fair Trading, Industry and Trade, Innovation, Science and Technology, Building, Corrections.

Referral of inquiries

2. A committee:
 - (a) is to inquire into and report on any matter relevant to the functions of the committee which is referred to the committee by resolution of the House, and
 - (b) may self-refer an inquiry into any matter relevant to the public administration of portfolios allocated to the committee.
3. A committee meeting to consider a self-reference under paragraph (2)(b) must be convened at the request of any three committee members in writing to the Committee Clerk.
4. The Committee Clerk must convene a meeting within seven calendar days of the receipt of the request, providing that members are given at least 24 hours' notice.
5. A majority of committee members is required to adopt the self-reference.
6. Whenever a committee resolves to self-refer a matter, the terms of reference are to be reported to the House on the next sitting day.

Membership

7. Each committee is to consist of seven members, comprising:
 - (a) three government members,
 - (b) two opposition members, and
 - (c) two crossbench members.

Chair and Deputy Chair

8. The committee is to elect the Chair and Deputy Chair in accordance with the standing orders.
9. The Chair of the committee is to be a non-government member.

Conduct of the committee proceedings

10. Unless the committee decides otherwise:

- (a) all inquiries are to be advertised via social media, stakeholder emails and a media release distributed to all media outlets in New South Wales,
- (b) submissions to inquiries are to be published, subject to the Committee Clerk checking for confidentiality and adverse mention and, where those issues arise, bringing them to the attention of the committee for consideration,
- (c) attachments to submissions are to remain confidential,
- (d) the Chair's proposed witness list is to be circulated to provide members with an opportunity to amend the list, with the witness list agreed to by email, unless a member requests the Chair to convene a meeting to resolve any disagreement,
- (e) the sequence of questions to be asked at hearings is to alternate between opposition, crossbench and government members, in that order, with equal time allocated to each,
- (f) transcripts of evidence taken at public hearings are to be published,
- (g) supplementary questions are to be lodged with the Committee Clerk within two business days, following the receipt of the hearing transcript, with witnesses requested to return answers to questions on notice and supplementary questions within 21 calendar days of the date on which questions are forwarded to the witness,
- (h) answers to questions on notice and supplementary questions are to be published, subject to the Committee Clerk checking for confidentiality and adverse mention and, where those issues arise, bringing them to the attention of the committee for consideration, and
- (i) media statements on behalf of the committee are to be made only by the Chair.

3. Election of Chair

The Committee Clerk called for nominations for the Chair.

Ms Higginson moved: That Mr Borsak be elected Chair of the committee.

There being no further nominations, the Clerk declared Mr Borsak elected Chair.

4. Election of Deputy Chair

Mr Borsak took the Chair.

The Chair called for nominations for Deputy Chair.

Mrs Maclaren-Jones moved: That Mr Fang be elected Deputy Chair of the committee.

Mr Primrose moved: That Ms Higginson be elected Deputy Chair of the committee.

The Chair informed the committee that, there being two nominations, a ballot would be held.

The Chair announced the result of the ballot as follows:

Mr Fang – two votes

Ms Higginson – five votes.

Ms Higginson, having a majority of the members present and voting, was therefore declared elected Deputy Chair of the committee.

5. Briefing on the resolution establishing the committee and conduct of committee proceedings

The Committee Clerk provided a briefing to committee members on the resolution establishing the committee and conduct of committee proceedings.

6. Conduct of committee proceedings

The Committee noted the Broadcast of Proceedings resolution (as amended by the Legislative Council on 19 October 2022), in particular the provisions relating to the filming, broadcasting, rebroadcasting and photography of committee proceedings, including:

- (4) That unless resolved otherwise by a committee, this House authorises:
 - (a) the filming, broadcasting and photography of members and witnesses in committee proceedings:
 - (i) by representatives of media organisations, including from around the committee meeting table,
 - (ii) by any member of the public, from the position of the audience, and
 - (b) the rebroadcasting of committee proceedings on the Legislative Council and Parliament's social media channels.

7. Publication of minutes of the first meeting

Resolved, on the motion of Mr Donnelly: That the committee publish the minutes of the first meeting on the committee's webpage, subject to the draft minutes being circulated to members.

8. Adjournment

The committee adjourned at 11.39 am, *sine die*.

Shaza Barbar
Committee Clerk