

Draft minutes no. 1

Wednesday 5 June 2019

Portfolio Committee 5 – Legal Affairs

Members' Lounge, Parliament House, Sydney at 2.18 pm

1. Members present

Mr Borsak, *Chair*

Mr Shoebridge, *Deputy Chair*

Mr Blair

Ms Jackson

Mrs Maclaren-Jones

Mr Moselmane

Mrs Ward

2. Tabling of resolution establishing the Committee

Clerk to table the resolution of the House establishing the committee, which reads as follows:

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

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

Premier

Treasury

Special Minister of State, Public Service and Employee Relations, Aboriginal Affairs and the Arts

Finance and Small Business

Jobs, Investment, Tourism and Western Sydney

The Legislature

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

Health and Medical Research

Mental Health, Regional Youth and Women

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

Education and Early Childhood Learning

Skills and Tertiary Education

(d) **Portfolio Committee No. 4 – Industry**

Regional New South Wales, Industry and Trade

Agriculture and Western New South Wales

Water, Property and Housing

(e) **Portfolio Committee No. 5 – Legal Affairs**

Attorney General and Prevention of Domestic Violence

Police and Emergency Services

Counter Terrorism and Corrections

Sport, Multiculturalism, Seniors and Veterans
Families, Communities and Disability Services

(f) **Portfolio Committee No. 6 – Transport and Customer Service**

Regional Transport and Roads
Transport and Roads
Customer Service
Better Regulation and Innovation

(g) **Portfolio Committee No. 7 – Planning and Environment**

Planning and Public Spaces
Energy and Environment
Local Government.

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 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. (1) The committee is to elect the Chair and Deputy Chair in accordance with the standing orders.

(2) The Chair of the committee is to be a non-government member.

Conduct of committee proceedings

9. Unless the committee decides otherwise:

- (a) 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,
- (b) attachments to submissions are to remain confidential,
- (c) 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,
- (d) 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,
- (e) transcripts of evidence taken at public hearings are to be published,
- (f) supplementary questions are to be lodged with the Committee Clerk within two days, excluding Saturday and Sunday, 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, and
- (g) 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.

3. Election of Chair

According to the standing order 213 (2), the Committee Clerk called for nominations for the Chair.

Mr Moselmane 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.

Mr Moselmane moved: That Mr Shoebridge be elected Deputy Chair of the committee.

There being no further nominations, the Chair declared Mr Shoebridge elected Deputy Chair.

5. Conduct of committee proceedings – Media

Resolved, on the motion of Mr Shoebridge: That unless the committee decides otherwise, the following procedures are to apply for the life of the committee:

- the committee authorise the filming, broadcasting, webcasting and still photography of its public proceedings, in accordance with the resolution of the Legislative Council of 18 October 2007
- the committee webcast its public proceedings via the Parliament's website, where technically possible

- committee members use social media and electronic devices during committee proceedings unobtrusively, to avoid distraction to other committee members and witnesses
- media statements on behalf of the committee be made only by the Chair.

6. Correspondence

The committee noted the following items of correspondence.

Received:

- 20 December 2018 – Letter from the Hon. Melinda Pavey MP, Minister for Roads, Maritime and Freight, to the Clerk of the Parliaments, providing the government's response to the report into the Windsor Bridge replacement project.
- 22 February 2019 – Letter from the Hon. Niall Blair MLC, Minister for Primary Industries, Regional Water, Trade and Industry, to the Clerk of the Parliaments, providing the government's response to the report into Sustainability of the dairy industry in New South Wales.

7. Publication of minutes of the first meeting

Resolved, on the motion of Mr Blair: 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 2.19 pm, *sine die*.

Jenelle Moore
Committee Clerk