
Minutes no. 1

Thursday 1 June 2023

Standing Committee on Law and Justice

Macquarie Room, Parliament House, Sydney at 12.36 pm

1. Members present

Mr Donnelly, *Chair*

Mr Rath, *Deputy Chair*

Mrs Carter

Mr D'Adam

Ms Higginson

Mr Lawrence

Mr Nanva

Mr Roberts

2. Tabling of resolution establishing the committee

The Chair tabled the resolution of the House of 10 May 2023 establishing the committee, which reads as follows:

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

Appointment

(1) Three standing committees be appointed as follows:

- (a) Law and Justice Committee,
- (b) Social Issues Committee, and
- (c) State Development Committee.

Law and Justice Committee

(2) The committee may inquire into and report on:

- (a) legal and constitutional issues in New South Wales, including law reform, parliamentary matters, criminal law, administrative law and the justice system, and
- (b) matters concerned with industrial relations and fair trading.

(3) For the purposes of section 27 of the State Insurance and Care Governance Act 2015, the committee is the designated Legislative Council committee to supervise the operation of the insurance and compensation schemes established under New South Wales workers' compensation and motor accidents legislation:

- (a) the Workers' Compensation Scheme,
- (b) the Workers' Compensation (Dust Diseases) Scheme,
- (c) the Motor Accidents Scheme, and
- (d) the Motor Accidents (Lifetime Care and Support) Scheme.

(4) In exercising the supervisory function outlined in paragraph (3), the committee:

- (a) does not have authority to investigate a particular compensation claim, and
- (b) must report to the House in relation to the operation of each of the schemes at least once every Parliament.

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Referral of inquiries

- (7) 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,
 - (b) may inquire into and report on any matter relevant to the functions of the committee which is referred by a Minister of the Crown, and
 - (c) may inquire into and report on any annual report or petition relevant to the functions of the committee which has been laid upon the Table of the Legislative Council.
- (8) Whenever a committee resolves to inquire into a matter, under paragraph (7)(b) or (7)(c), the terms of reference or the resolution is to be reported to the House on the next sitting day.

Powers

- (9) The committee has power to make visits of inspection within New South Wales and, with the approval of the President, elsewhere in Australia and outside Australia.

Membership

- (10) Each committee is to consist of eight members, comprising:
- (a) four government members,
 - (b) two opposition members, and
 - (c) two crossbench members.

Chair and Deputy Chair

- (11) The Leader of the Government is to nominate in writing to the Clerk of the House the Chair of each committee.
- (12) The Leader of the Opposition is to nominate in writing to the Clerk of the House the Deputy Chair of each committee.

Quorum

- (13) The quorum of a committee is three members, of whom two must be government members and one a non-government member.

Sub-committees

- (14) A committee has the power to appoint sub-committees.

Conduct of committee proceedings

- (15) 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) transcripts of evidence taken at public hearings are to be published,

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- (f) 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,
 - (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, and
 - (h) media statements on behalf of the committee are to be made only by the Chair.

3. Committee Chair and Deputy Chair

The committee noted that the following members were nominated by the Leader of the Government and the Leader of the Opposition as Chair and Deputy Chair of the Standing Committee on Law and Justice:

- Mr Donnelly (Chair)
- Mr Rath (Deputy Chair).

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

The Committee Clerk briefed committee members on the resolution establishing the committee and conduct of committee proceedings.

5. 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, which read as follows:

- (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.

6. Publication of minutes of the first meeting

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

7. Correspondence

The committee noted the following items of correspondence:

Received

- 6 March 2023 – Email from an individual to committee, regarding the inquiry into the Road Transport Amendment (Medicinal Cannabis-Exemptions from Offences) Bill 2021
- 30 April 2023 – Email from an individual to committee, regarding the compulsory third party insurance scheme

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8. Legacy report

The committee noted that the report entitled *Legacy Report: 57th Parliament* was published in February 2023.

9. Oversight reviews and timeframes

The committee noted its requirements under the resolution establishing the committee to report on the Workers' Compensation Scheme, the Workers' Compensation (Dust Diseases) Scheme, the Motor Accidents Scheme and the Motor Accidents (Lifetime Care and Support) Scheme at least once every Parliament.

The committee also noted that the previous committee's second review into the Workers' Compensation Scheme was not tabled before the conclusion of the 57th Parliament.

10. Briefing from State Insurance Regulatory Authority, icare and Treasury

Resolved, on the motion of Mr Roberts: That the Chair write to:

- the Hon Sophie Cotsis MP, Minister for Work Health and Safety, requesting an informal briefing to the committee from icare representatives,
- the Hon Courtney Houssos MLC, the Minister for Finance, requesting an informal briefing to the committee from State Insurance Regulatory Agency representatives, and
- the Hon Daniel Mookhey MLC, Treasurer, requesting an informal briefing to the committee by Treasury representatives in regard to the Workers' Compensation Scheme.

11. Adjournment

The committee adjourned at 1.00 pm *sine die*.

Laura Ismay
Committee Clerk