
Draft minutes no. 85

Wednesday 17 October 2018
Portfolio Committee No. 4 – Legal Affairs
Members' Lounge, Parliament House at 1.31 pm

1. Members present

Mr Borsak, *Chair*
Mr Shoebridge, *Deputy Chair*
Mr Clarke (from 1.34 pm)
Ms Cusack (from 1.32 pm)
Mr Khan (from 1.32 pm)
Mr Moselmane
Ms Voltz (from 1.32 pm)

2. Previous minutes

Resolved, on the motion of Mr Shoebridge: That draft minutes no. 84 be confirmed.

3. Correspondence

The committee noted the following items of correspondence:

Received:

- 3 September 2018 – Email from Ms Simone Lieser, Office of the Hon Mark Speakman, Attorney General, advising the committee that due to a family emergency and conflict in leave arrangements the Minister amended the list of witnesses accompanying him to the Budget Estimates hearing
- 25 September 2018 – Letter from Hon Troy Grant MP, Minister for Police, Emergency Services to the Chair, attaching answers to questions on notice, answers to supplementary questions, transcript corrections and legal advice
- 25 September 2018 – Letter from Hon Justice Michael Adams QC, Commissioner, Law Enforcement Conduct Commission to the secretariat, attaching answers to questions on notice and transcript corrections
- 27 September 2018 – Email from Ms Nishita Dayal, Office of the Hon Troy Grant, Minister for Police and Minister for Emergency Services, advising the committee that the Minister provided the legal advice at the request of the Acting Chair and not for release to the public at large, however, if the committee resolved to release the documents, the Minister would not press the matter. .
- 28 September 2018 – Letter from Hon David Elliott MP, Minister for Corrections, Counter Terrorism, Veterans Affairs to the secretariat, attaching answers to questions on notice, answers to supplementary questions and transcript corrections
- 28 September 2018 – Letter from Hon David Elliott MP, Minister for Corrections, Counter Terrorism, Veterans Affairs to the secretariat, clarifying evidence provided to the committee during Budget Estimates
- 28 September 2018 – Letter from Ms Fiona Rafter, Inspector of Custodial Services to the secretariat, attaching answers to questions on notice

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- 28 September 2018 – Letter from Hon Mark Speakman MP, Attorney General to the secretariat, attaching answers to questions on notice, answers to supplementary questions and transcript corrections.

Sent:

- 3 September 2018 – Email from secretariat to Ms Simone Lieser and Mr Bryce O'Connor, Attorney General Speakman's office, confirming that the committee has no objections to the changes made to the list of witnesses for the hearing
- 4 September 2018 – Email from secretariat to Ms Nishita Dayal, Office of the Hon Troy Grant, Minister for Police and Minister for Emergency Services, attaching transcript of evidence with questions on notice highlighted, supplementary questions and instructions on how to correct the transcript and return answers to questions
- 4 September 2018 – Email from secretariat to the Hon Justice Michael Adams QC, Commissioner, Law Enforcement Conduct Commission, attaching transcript of evidence with questions on notice highlighted, supplementary questions and instructions on how to correct the transcript and return answers to questions
- 4 September 2018 – Email from secretariat to Ms Tanya Raffoul and Mr Edward Strong, Minister Elliott's office, attaching transcript of evidence with questions on notice highlighted, supplementary questions and instructions on how to correct the transcript and return answers to questions
- 7 September 2018 – Email from secretariat to Mr Bryce O'Connor, Attorney General Speakman's office, attaching transcript of evidence with questions on notice highlighted, supplementary questions and instructions on how to correct the transcript and return answers to questions.

4. Inquiry into Budget Estimates 2018-2019

4.1 Supplementary hearings

Mr Shoebridge moved: That

- the committee hold two further hearings to consider matters relating to the portfolios of Police and Corrections, on a date to be determined by the Chair in consultation with the members; and
- the Commissioner of Corrective Services NSW, Inspector of Custodial Services and Executive Director of Juvenile Justice be invited to appear at the Corrections supplementary hearing.

Question put.

The committee divided.

Ayes: Mr Borsak, Mr Moselmane, Mr Shoebridge, Ms Voltz

Noes: Mr Clarke, Ms Cusack, Mr Khan,

Question resolved in the affirmative.

Mr Shoebridge moved: That the portfolios of Police and Corrections be examined for 1.5 hours each, with no government questions.

Question put.

The committee divided.

Ayes: Mr Borsak, Mr Moselmane, Mr Shoebridge, Ms Voltz

Noes: Mr Clarke, Ms Cusack, Mr Khan.

Question resolved in the affirmative.

Resolved, on the motion of Ms Voltz: That the committee hold no further hearings to consider matters relating to the following portfolios:

- Emergency Services
- Counter Terrorism, Veterans Affairs
- Attorney General.

4.2 Order for papers

Ms Voltz moved:

1. That, under Standing Order 208(c), Portfolio Committee No. 4 – Legal Affairs be provided with the following documents in the possession, custody or control of the Inspector of Custodial Services, the Minister for Corrective Services, and the Department of Justice:
 - a) the draft report on Juvenile Justice following the Royal Commission into the Protection and Detention of Children in the Northern Territory, prepared by Ms Fiona Rafter, Inspector of Custodial Services and provided to the Minister for Corrective Services; and
 - b) any legal or other advice regarding the scope or validity of this order of the committee created as a result of this order of this committee.
2. That the documents be provided to the committee clerk by 4.00 pm, Wednesday 24 October 2018.

Question put.

The committee divided.

Ayes: Mr Borsak, Mr Moselmane, Mr Shoebridge, Ms Voltz

Noes: Mr Clarke, Ms Cusack, Mr Khan.

Question resolved in the affirmative.

5. Adjournment

The committee adjourned at 1.40 pm.

Rebecca Main

Committee Clerk