



RGSLAW

24 February 2023

Our Ref: JBR/JBR/220024

BY EMAIL: State.Development@parliament nsw.gov.au

Standing Committee on State Development
Parliament House
Macquarie Street
Sydney NSW 2000

SYDNEY NSW 2000

ATTENTION: Standing Committee on State Development

Dear Madam Chair

CANTERBURY BANKSTOWN PUBLIC INQUIRY RE MAYOR ASFOUR

We refer to your letter of 20 February 2023.

We note that you have not engaged with us on the issue of your threat of contempt of parliament. This approach is entirely consistent with the Committee's treatment of Mayor Asfour to date during the course of this inquiry. This is a pattern of behaviour that has also extended to CCBC in its efforts to seek procedural fairness from the Committee.

In relation to Mayor Asfour;

1. We wrote to you on two occasions seeking access to documents in advance of giving evidence, first on 16 December 2022 and again on 20 December 2022. These requests were not met with a response from the committee.
2. We asked that you withdraw the threat of contempt proceedings despite our client giving evidence voluntarily on two occasions. You likewise refused without entering any discussion that suggested the Committee understood the principles of procedural fairness.

PRINCIPAL – JAMES RILEY

SUITE 4.05, 165-167 PHILLIP STREET, SYDNEY NSW 2000 AUSTRALIA
TELEPHONE: 02 9264 4244 E-MAIL: rgslaw@rgslaw.com.au FACSIMILE: 02 9247 7780
MAIL: PO BOX R1465, ROYAL EXCHANGE NSW 1225

ABN 57 164 206 893
JBR LEGAL SERVICES PTY LTD (ACN: 164 206 893) TRADING AS RGSLAW
LIABILITY LIMITED BY A SCHEME APPROVED UNDER PROFESSIONAL STANDARDS LEGISLATION



3. Despite asserting at numerous stages that the Inquiry was proceeding on the basis of procedural fairness, the committee has refused to engage in any meaningful correspondence regarding concerns about procedural fairness.
4. The chair has expressed some regret that documents relating to the Inquiry have been leaked to the media. Nevertheless, the chair has not seen fit to investigate that leak or to admonish committee members for this failure to adhere to principles of procedural fairness.
5. Proceeding as it does outside of the two mandated procedures for investigation of councils in NSW in the lead up to an election, the absence of any consideration of procedural fairness renders the entire process of this Inquiry tainted with political expediency.

We are instructed to write once again not to request a reply to the obvious shortcomings of this inquiry, but to record our client's disappointment regarding the way in which the committee has conducted itself. We would ask that this letter also be published on the inquiry website so that all views on the inquiry may be known.

Yours faithfully
RGSLAW

James Riley