

Submission  
No 17

**INQUIRY INTO THE ELIGIBILITY OF MEMBERS OF  
PARLIAMENT TO SERVE ON JURIES**

**Name:** The Hon Wal Fife KSS  
**Position:** Former Member  
**Date received:** 6/08/2010

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The Hon Wal Fife KSS

2 August 2010

Hon Christine Robertson MLC  
Committee Chair  
Standing Committee on Law and Justice  
Legislative Council  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000

Dear Madam Chair,

I acknowledge receipt of your correspondence dated 5 July 2010 concerning the inquiry into the eligibility of Members of Parliament to serve on juries. I note that the inquiry does not apply to Members who hold Ministerial portfolios.

The case of every Member of Parliament is different. As a private Member the issues pursued by Members differ enormously. Members, during their lifetime could hold a variety of portfolios for a short or long period and others may not aspire to ministerial rank. I could fill pages of examples of people who it would be inappropriate for them to be given jury service the same as I could provide many examples of Members who could serve on juries without conflict. Your committee is faced with considering recommendations that apply to all Members of Parliament.

In my own case I served in two Parliaments for a total of approximately thirty-six years, eighteen in New South Wales and eighteen in the Commonwealth, seventeen of which were spent in various Ministerial posts. My duties as Minister in several of these portfolios, in my view, would rule me out from jury service for life. For example, as Minister for Business and Consumer Affairs, I was largely responsible for the preparation and introduction of the 1979 telephone intercept legislation which has often been referred to as "watershed" legislation.

My view is that the Jury Act of 1977 should not be repealed and if amended should include consideration to former Ministers being granted immunity.

Yours sincerely,

  
Wal Fife