

41 ORDER FOR PAPERS—ARREST, CHARGING AND DETENTION OF MR LUKE MOORE ON 25 FEBRUARY 2021 – FURTHER ORDER

Mr Roberts moved, according to sessional order: That private members' business item no. 1711 be considered in a short form format.

Question put and passed.

Mr Roberts moved, according to notice:

- (1) That this House notes that:
 - (a) on 24 November 2021, this House ordered the production of documents relating to the arrest, charging and detention of Mr Luke Moore on 25 February 2021 under standing order 52,
 - (b) on 11 February 2022, the Clerk received a return consisting of:
 - (i) correspondence from the General Council, NSW Police Force which advised that no documents would be returned to the order of the House according to Crown Solicitor's advice entitled "ADVICE RE SO 52 – MOORE L",
 - (ii) the Crown Solicitor's advice entitled "ADVICE RE SO 52 – MOORE L", returned according to paragraph (c) of the order for papers which requires the return of "any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House", and
 - (c) the Crown Solicitor's advice contains redactions which, according to NSW Police, "relate to prospective civil proceedings by Mr Moore that may not have been made public".
- (2) That this House:
 - (a) notes the established practice under standing order 52 for a document considered to be privileged to be returned to the House along with reasons for the claim of privilege and for such documents to be made available only to members of the Legislative Council and not published or copied without an order of the House, and
 - (b) reasserts its power to order unredacted state papers including Crown Solicitor's advice.
- (3) That, under standing order 52, there be laid upon the table of the House within 7 days of the date of passing of this resolution the following documents in the possession, custody or control of the Minister for Police or NSW Police Force:
 - (a) an unredacted copy of the Crown Solicitor's Office advice entitled "ADVICE RE SO 52 – MOORE L", received by this House in redacted form on 11 February 2022, and
 - (b) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

Debate ensued.

Mr Shoebridge moved: That the question be amended by omitting "7 days" in paragraph (3) and inserting "3 days".

Debate continued.

Question: That the amendment of Mr Shoebridge be agreed to—put and passed.

Original question, as amended, put and passed.