

The Parliament of New South Wales is made up of the Legislative Council (Upper House) and the Legislative Assembly (Lower House). Both Houses have parliamentary committees, which inquire into issues that are important to the people of NSW. Parliamentary committees are appointed by one or both Houses and are made up of members of Parliament.

Examining issues in detail

The work of Parliament has become more complex. Members of Parliament have to consider a wide range of issues and legislation. At the same time, more people in the community want to participate in the democratic process. Committees take Parliament to the people and enable members to become better informed about community views. They allow members to examine issues in more detail and with greater public input and debate than if the matter were considered within the House.

Standing committees in the Legislative Council

Committees are an important part of the work of the Legislative Council because of the Council's role in reviewing legislation and acting as an effective check and balance on executive government.

Standing committees are one of several different types of committees that are formed by the Legislative Council. They are established for the life of each Parliament, that is for four years, or until the next general election.

They investigate and report on:

- proposed legislation
- government activities
- matters of public policy.

A standing committee may also inquire into matters raised in the annual report of a government department or in petitions, although this power is rarely used.

Each standing committee includes several members of the Legislative Council from the Government, Opposition and Cross Bench (which is comprised of members of minor parties and independents). Committee membership usually reflects each political party's representation in the House. Committees aim to work in a non-partisan way.

Currently, there are three standing committees dealing with:

- law and justice
- social issues
- state development.

The **Law and Justice Committee** focuses on legal and constitutional issues. This includes law reform, criminal and administrative law and parliamentary matters. This committee also looks at issues concerning the police, Attorney General, industrial relations, emergency services, corrective services, fair trading and juvenile justice.

The **Social Issues Committee** examines matters relating to the social development of people in NSW. Areas covered include citizenship, social relations, cultural diversity, housing, health, education, children's and community services, ageing, disability services, gaming and racing, sport and recreation.

The **State Development Committee** considers opportunities for growth and development throughout NSW. Portfolio areas include economics and finance, commerce, infrastructure and planning, energy and utilities, natural resources, transport, tourism, public administration, local government, primary industry, agriculture and fisheries, mineral resources, industrial and technological developments, science and medical research and environmental issues.

There are also five **General Purpose Standing Committees** (GPSCs) focusing on government accountability. Each GPSC is responsible for looking at issues to do with certain portfolios and their spending. The GPSCs have a majority of non-government members and can self-refer inquiries. This means GPSCs can decide to start an inquiry, while inquiries by the other standing committees are only referred by Ministers or the House.

Standing committees benefit the community by reviewing proposed laws, facilitating more informed policy-making and ensuring greater government accountability.



Select committees can also be formed to inquire into a particular issue. **Joint select committees**, made up of members from both Houses, can also be formed. Once its inquiry has been completed, a select committee is discontinued.

The **Privileges Committee** considers complaints of breach of parliamentary privilege or contempt referred to it by the House or the President of the Legislative Council. The committee also considers submissions from citizens seeking a right of reply to statements made about them in the House. It drafts codes of conduct for members and carries out educative work on ethical standards for members.

Committees provide an important opportunity for individuals and groups to participate in the policy process and to put their views directly to members. You can:

- make a submission
- give oral evidence
- attend public hearings
- obtain copies of committee reports.

Committees may hold meetings around NSW so that all interested parties are consulted.

Information on the web

You can find submissions, hearing schedules, transcripts, committee reports and other information about standing committees of the current Parliament on our website at www.parliament.nsw.gov.au/committees. From here you can navigate to specific committees and inquiries. If you need help using the website please contact the relevant committee secretariat.

This brochure is one of a series on standing committees. **Making a submission** and **Committee hearings** are also available from the committee office and on our website.



Making government accountable

Committees can ask Ministers and senior public servants to explain and justify their actions or decisions, including decisions about the State Government budget. Committees also encourage government agencies to make more information publicly available.

Promoting public debate

Committees increase public awareness and debate on issues under consideration by Parliament. They provide an opportunity for differing views to be discussed and examined in public and allow members to consider all aspects of an issue.

Encouraging detailed investigation

Committees are small and flexible. Being specialised and focused, their members can concentrate on a particular issue in depth, and can more easily access the knowledge and experience of academics, business leaders, public servants, interest groups and members of the public.

The 7 steps of an inquiry

1 Setting up an inquiry

In most cases, the Legislative Council or a Minister refers inquiries to a standing committee. The GPSCs can self-refer inquiries. An inquiry's terms of reference describe the issues that a committee will investigate and report on.

2 Calling for submissions

A committee will often start its inquiry by calling for submissions from the public and relevant organisations. The inquiry's terms of reference are usually advertised in newspapers and on our website (see back panel for details).

People or organisations with expert knowledge or representative views may be invited to make a submission.

3 Holding public hearings

After the committee has examined all the submissions, witnesses may be invited to give oral evidence. This allows committee members to speak with people about matters relevant to an inquiry and to ask questions about issues raised in a submission or by other witnesses.

Members of the public may attend these hearings, although sometimes they occur in private (*in camera*), when members of the public and media are asked to leave.

4 Seeking further input

In addition to calling for submissions and taking evidence, committees may seek public opinion on the issues raised by an inquiry in a number of other ways. These include community forums, briefings and round table discussions. Committees may also visit locations in NSW related to an inquiry.

5 Reporting to Parliament

After considering all the submissions, evidence and its own research, the committee prepares a report. The report is tabled in the Legislative Council and includes the committee's findings and recommendations. Standing committees aim to produce unanimous reports. Where members of a committee cannot agree on their findings and recommendations, a dissenting statement is sometimes presented with the report. The tabling of a report provides an opportunity for all members of the Legislative Council to debate the findings.

6 Making the report publicly available

Committee reports are public documents and are widely distributed. A report is made available to everyone who appeared as a witness, made a submission, or requests a copy from the committee office. Committee reports can also be found at the State Library in Sydney, university libraries and on our website (see back panel).

7 Responding to the recommendations

Within six months after a report is tabled, the Government must provide a response to the Legislative Council that addresses the committee's recommendations. The Government is not required to implement the committee's recommendations but must explain why it has decided not to carry out some or all of them.

A copy of the Government response is sent to everyone who made a submission, gave evidence, or requests a copy from the committee office. Government responses can also be found on our website (see back panel).

Parliamentary privilege – what you should know

Parliamentary committees are an extension of the Parliament. A committee's proceedings, including the presentation of submissions and the giving of evidence, are protected by parliamentary privilege. This means that submissions and oral evidence given before a committee can be made freely and honestly without fear or threat of legal action for defamation. At the same time, committee hearings and submissions are not an opportunity to make adverse comments about individuals. Comments made outside a hearing do not receive the protection of parliamentary privilege.

Submissions and evidence given before a committee become committee documents and are confidential until the committee decides to make them public. Parliamentary privilege extends to submissions and transcripts of evidence that are published by a committee. Anyone who republishes a committee document apart from the Parliament or its committees is subject to the laws of defamation.

Witnesses are also protected by parliamentary privilege from intimidation or other attempts to influence or deter them from giving evidence, or from being penalised as a result of their evidence.

Contacting the committees

Address mail to the relevant committee at:

Parliament House
Macquarie Street
Sydney NSW 2000

General Purpose Standing Committees

www.parliament.nsw.gov.au/committees
Telephone: (02) 9230 3544 Fax: (02) 9230 3416
Email: gpscsecretariat@parliament.nsw.gov.au

Law and Justice Committee

www.parliament.nsw.gov.au/lawandjustice
Telephone: (02) 9230 3311 Fax: (02) 9230 3371
Email: lawandjustice@parliament.nsw.gov.au

Social Issues Committee

www.parliament.nsw.gov.au/socialissues
Telephone: (02) 9230 3078 Fax: (02) 9230 2981
Email: socialissues@parliament.nsw.gov.au

State Development Committee

www.parliament.nsw.gov.au/statedevelopment
Telephone: (02) 9230 2641 Fax: (02) 9230 2981
Email: statedevelopment@parliament.nsw.gov.au

Privileges Committee

www.parliament.nsw.gov.au/committees
Telephone: (02) 9230 2346 Fax: (02) 9230 2761
Email: privilege@parliament.nsw.gov.au



LEGISLATIVE COUNCIL

Standing committees

Taking Parliament to the people

