



Justice
Inspector of
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Ms Rebecca Main
Secretariat
Budget Estimates Committee
Parliament of NSW
Macquarie Street

Our Ref: ICS/18/
26 October 2018

Dear Ms Main

I confirm that, as previously indicated to the Committee staff, I am willing to attend to give evidence before the Committee on 31 October 2018, without being summoned.

I have also considered whether it would be feasible to provide the Committee with a redacted version of the draft report (referred to in the Committee's earlier resolution of 17 October 2018). However, on considering this course of action I have estimated that to undertake the redactions it would take in excess of 200 hours. These hours would detract from me finishing the draft final report which I am intending to provide to the Minister next week pursuant to s 14(1) the *Inspector of Custodial Services Act 2012*, and table shortly thereafter.

Accordingly, I am of the view that in fulfilling my statutory responsibilities I should focus on finalising and tabling the report. In this regard I ask that the Committee defer consideration of the issue of the summons.

In the event that the Committee resolves to issue a summons, under the *Parliamentary Evidence Act 1901* ("the *PE Act*"), requiring me to attend to give evidence, and to produce the draft report to the Committee, on 31 October 2018, arrangements have been made for me to be served with the summons on the morning of Monday 29 October 2018.

I understand that s 4(2) of the *PE Act* refers to 'Any such person may be summoned to attend and give evidence before a committee by an order of such committee signed by the Chair thereof and served as aforesaid.' With respect, I can see no reference in s 4(2) to the production of documents.

I would therefore, respectfully, request that the Committee reconsider its intention to issue the proposed summons in respect of the production of the draft report.

Yours faithfully

A handwritten signature in black ink, appearing to read 'F. Rafter', written over a light blue horizontal line.

Fiona Rafter
Inspector of Custodial Services