Effective Parliamentary Committee Inquiries Course

27-31 August 2012 | Macquarie Room | Parliament House | Sydney

Course Rationale:

In democratic systems of government, elected representatives are entrusted with important legislative, accountability and representational duties. Many parliaments (including parliaments in the Pacific) have found appointing committees to be a powerful way of exercising these responsibilities.

But, despite some notable successes, committees in Pacific parliaments have not yet realised their full potential.

Course Objective:

The objective of this course is to enhance the capacity of officials from Pacific parliaments to support the effective operation of parliamentary committees.

Drawing on the experience of officials from the Legislative Assembly and Legislative Council in the NSW Parliament, and the experience of participants themselves, the course will explore the knowledge and skills required to:

- design a parliamentary committee inquiry;
- provide administrative, research and analytical support to a committee inquiry;
- prepare and present a committee report.

The course will do this through a mixture of presentations, case studies, discussions, group exercises and role plays – all of which are designed to allow participants to set new material in the context of their existing experience.

Committees of the NSW Parliament will be conducting public hearings during the week of the course and, depending on the timing of these hearings, it is anticipated that course participants will be able to observe some of these hearings.
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<thead>
<tr>
<th>Time</th>
<th>Session No.</th>
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<tbody>
<tr>
<td>8:00 am</td>
<td></td>
<td><strong>Travel from accommodation to NSW Parliament, Macquarie Street, Sydney</strong></td>
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<td>Proceed through the Security check point to the Entrance of the NSW Parliament.</td>
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<tr>
<td>8:30 am</td>
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<td><strong>Assemble at:</strong></td>
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<td>Front Desk</td>
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<td>Level 7, Legislative Council</td>
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<td>NSW Parliament</td>
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<td></td>
<td>Macquarie Street</td>
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<td>Escorted to Macquarie Room</td>
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<tr>
<td>9:00 am</td>
<td>1</td>
<td><strong>Official welcome</strong></td>
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<td></td>
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<td>The Hon Don Harwin MLC</td>
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<td>President of the Legislative Council of New South Wales</td>
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<tr>
<td>9:15 am</td>
<td>2</td>
<td><strong>Course overview and introductions</strong></td>
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<td></td>
<td></td>
<td>Mr Trevor Rowe</td>
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<td>Course Convenor</td>
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<td>9:25 am</td>
<td>3</td>
<td><strong>House-keeping matters</strong></td>
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<td></td>
<td>Ms Helen Minnican</td>
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<td>Course Facilitator</td>
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<td>9:35 am</td>
<td>4</td>
<td><strong>Walking Tour of NSW Parliament</strong></td>
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<td></td>
<td></td>
<td>Mr Todd Buttsworth</td>
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<td>Research Officer</td>
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<td>Legislative Assembly</td>
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<td>Tel. 02 9230 2161</td>
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<td>10:20 am</td>
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<td><strong>Official Photograph</strong></td>
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<td><strong>Venue:</strong></td>
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<td>Speaker's Garden</td>
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<td><strong>Photographer:</strong></td>
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<td>Todd Buttsworth</td>
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<td>10:30 am</td>
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<td><strong>Morning tea</strong></td>
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<td>10:45 am</td>
<td>6</td>
<td>Participant introductions</td>
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<td>Facilitator: Mr Trevor Rowe, Course Convener</td>
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**Part 1: Why do we have parliamentary committees?**

*Learning objective:* Participants are able to discuss why parliaments have parliamentary committees and explain how they add value

<table>
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<th>Time</th>
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<tbody>
<tr>
<td>12:00 pm</td>
<td>7</td>
<td>Committee in Westminster Parliaments</td>
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<td></td>
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<td>- Why do parliaments have committees</td>
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<td>- USA versus Westminster style parliaments</td>
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<td>- Committees today</td>
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<td>- Types of committees</td>
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<td>- Roles and tasks</td>
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<td>Mr Grant Harrison, Deputy Director, Centre for Democratic Institutions</td>
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<td>Lunch</td>
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<tr>
<td>1:30 pm</td>
<td>8</td>
<td>Committees in the NSW Parliament</td>
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<td></td>
<td></td>
<td>- Role, structure and powers of committees</td>
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<td>Ms Beverly Duffy, Course Facilitator</td>
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<tr>
<td>2:00 pm</td>
<td>9</td>
<td>Committee in the NSW Parliament - Perspective of Committee Chairs</td>
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<td>- Important role of committee secretariats</td>
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<td>- Expectations of committee secretariats</td>
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<td>- Experiences of being members of parliamentary committees</td>
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<td>Mr David Elliott MP, Member for Baulkham Hills, Chair, Legislative Assembly Committee on Economic Development, Legislative Assembly of New South Wales, The Hon. Niall Blair, MLC, Chair, Standing Committee on Social Issues, Legislative Assembly of New South Wales</td>
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<th>Time</th>
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<td>3:00 pm</td>
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<td>Afternoon tea</td>
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<td>Venue: Strangers Lounge</td>
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</table>
3:30 pm  10  **Committees in Pacific Parliaments**

- Presentations from each country, which tell us:
  - The committees in my Parliament
  - The work the committees have done in the past 18 months
  - The assistance given by the parliamentary service (Clerk and parliamentary staff) to the committees to do their work.
  - A list of problems (which we can discuss later)

*Facilitator:*
Mr Trevor Rowe  
Course Convenor

4:30 pm  11  **Guiding principles for parliamentary committee work**

- Environment / operating framework
- Know the authority for any action
- Responsible and accountable
- Preparation
- Honesty and Communications
- Collegiate
- Pragmatism and patience

Mr Les Gonye  
Clerk Assistant, Table and Serjeant-at-Arms  
Legislative Assembly of New South Wales

5:00 pm  **Close**  
**Walk to accommodation**

6:30 pm  **Welcome Dinner**

*Venue:*
Maggie's Potts Point  
50 Macleay Street  
Potts Point NSW 2011  
Telephone: (02) 9331 2226
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**Day 2 | Tuesday, 28 August 2012**

9:00 am 12 **Review of Day 1**
- Lessons learned
- Areas for further discussion

*Facilitator:*
Mr Trevor Rowe  
Course Convenor

**Part 2: Starting an Inquiry**

*Learning objective:* Participants recognise constructive terms or reference and understand the importance of Inquiry planning.

9:20 am 13 **Inquiry Terms of Reference**
- Why Parliamentary committees have Terms of Reference?
- Where do Terms of Reference come from?
- What are the characteristics of good Terms of Reference?

Ms Rachel Simpson  
Director, Committees  
Legislative Council of New South Wales

- **Group exercise:** Draft Terms of Reference for Orica Inquiry

Ms Beverly Duffy  
Course Facilitator

10:20 am 14 **Planning for an Inquiry**
- Why plan an inquiry?
- What should a plan contain?

Ms Carly Maxwell  
Director, Committees  
Legislative Assembly of New South Wales

- **Group exercise:** Prepare an inquiry plan for the Orica Inquiry

*Facilitator:*
Ms Helen Minnican  
Course Facilitator

11:30 am **Morning tea**

*Venue:* level 9 rooftop garden
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<th>Time</th>
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<td>12:00 pm</td>
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<td><strong>Resourcing an Inquiry</strong></td>
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<td></td>
<td>• Anticipating staff resources</td>
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<td>o Securing staff resources</td>
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<td>• Anticipating financial resources</td>
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<td>o Budgets - are there budgets for committees and/or inquiries?</td>
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<td>o Strategies for securing resources</td>
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<td>o What to include in a budget</td>
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<td>• Making sure resources are available</td>
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<td>• Responsible use of resources</td>
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*Facilitator:*
Helen Minnican
Course Facilitator

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<tr>
<td>1:00 pm</td>
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<td><strong>Lunch</strong></td>
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<tr>
<td>2:00 pm</td>
<td>16</td>
<td><strong>Tour of the Legislative Council</strong></td>
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<td>Mr David Blunt</td>
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<td>Clerk of the Parliaments and</td>
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<td>Clerk of the Legislative Council</td>
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**Tour of Legislative Assembly**

Ms Ronda Miller
Clerk of the Legislative Assembly

**Case studies:** Pacific Island parliamentary committees in action - Bougainville and Solomon Islands

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<th>Time</th>
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<tbody>
<tr>
<td>3:00 pm</td>
<td>17</td>
<td><strong>Case study 1: Inquiry into the Torokina Oil Palm Project, Bougainville</strong></td>
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<tr>
<td></td>
<td></td>
<td>• Why the Inquiry was conducted</td>
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<td>• How the Inquiry was conducted:</td>
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<td>o Processes to gather information, analyse information and report findings (and recommendations)</td>
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<td>• What went well (successful aspects of the Inquiry)</td>
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<td>• What was difficult (challenges and obstacles)</td>
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Mr Donald Misang
Research Officer
Bougainville House of Representatives

**Case study 2: Inquiry into ... [insert name of inquiry], Bougainville**

• Why the Inquiry was conducted
• How the Inquiry was conducted:
  o Processes to gather information, analyse information and report findings (and recommendations)
• What went well (successful aspects of the Inquiry)
• What was difficult (challenges and obstacles)
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Mr Ignatius Hamal  
Research Officer  
Public Accounts Committee  
Bougainville House of Representatives

Facilitator:  
Ms Beverly Duffy  
Course Facilitator

3:30 pm  
**Afternoon tea**  
Venue: Strangers Lounge

4:00 pm  
**Case study 3: Inquiry into the teacher absenteeism conducted by Solomon Islands Parliament**  
- Why the Inquiry was conducted  
- How the Inquiry was conducted:  
  - Processes to gather information, analyse information and report findings (and recommendations)  
- What went well (successful aspects of the Inquiry)  
- What was difficult (challenges and obstacles)

Ms Natalina Hong, Committee Secretary and Mr Rexford Kouto, Secretariat of the Education and Human Resources Training Committee  
National Parliament of Solomon Islands

**Case study 4: Special Select Committee Inquiry into services of the National Referral Hospital (2012), Solomon Islands**  
- Why the Inquiry was conducted  
- How the Inquiry was conducted:  
  - Processes to gather information, analyse information and report findings (and recommendations)  
- What went well (successful aspects of the Inquiry)  
- What was difficult (challenges and obstacles)

Mr Jefferson Helu, Committee Secretary and  
Mr Wilson Anii, Committee Secretary  
National Parliament of Solomon Islands

Facilitator:  
Ms Beverly Duffy  
Course Facilitator

4:30 pm  
**Close**  
Return to accommodation
### Day 3 | Wednesday, 29 August 2012

9:00 am 18 **Review of Day 2**
- Lessons learned
- Areas for further discussion

*Facilitator:*  
Mr Trevor Rowe  
Course Convenor

### Part 3: Gathering evidence

*Learning objective:* Participants understand the process of gathering and processing evidence, particularly written evidence.

9:20 am 19 **Evidence**
- What is evidence?
  - Written evidence
  - Oral evidence
  - What is not evidence!
- Parliamentary privilege.
  - Why formal evidence is of primary importance to parliamentary committees
- To get evidence (written or oral) we must create awareness about the Inquiry
  - Advertising (the press, electronic media, Internet, Social Media)
  - Invitation letters to stakeholders
    - Who are stakeholders?
    - How do we identify stakeholders?

*Ms Madeline Foley*  
Director, Committees  
Legislative Council of New South Wales

- **Discussion**

*Facilitator:*  
Ms Beverly Duffy  
Course Facilitator
9:50 am  20  Submissions - procedural and administrative issues
• Administrative processes:
  o Receiving and acknowledging submissions
  o Good record keeping (and the risks of poor record keeping)
• Procedural processes:
  o Acceptance by Committee
  o Publication of submissions
  o Parliamentary privilege attached to submissions

Ms Merrin Thompson
Principal Council Officer
Legislative Council of New South Wales

• Discussion

Facilitator:
Ms Beverly Duffy
Course Facilitator

10:30 am  Morning tea

Venue:
Level 9 Rooftop Garden

Case study: Scrutiny of government agencies

Learning objective: Participants understand the role of an Auditor-General and the relationship with the Parliament

10:45 am  21  Oversight of government agencies:
• Audit Office role:
  o financial accountability and
  o performance improvement
• Audit Office as an 'ally of the Parliament':
  o Relationship to Public Accounts Committee
• Challenges in ensuring oversight

Mr Peter Achterstraat
NSW Auditor General

• Discussion

Facilitator:
Mr Simon Johnston
Twinning Project Coordinator
New South Wales Parliament
Challenges in providing oversight of the Executive - Pacific Island experience

- Barriers and challenges
- Examples
- Discussion

Facilitator:
Mr Simon Johnston
Twinning Project Coordinator
New South Wales Parliament

Part 4: Information to support an inquiry

Learning objective: Participants understand the information that can be used by parliamentary committees and how to collect and then present such information to committees

Site visits

- The purpose of site visits (or 'visits of Inspection' as called in the NSW Parliament)
- Preparation
- Conducting site visits
- Potential difficulties with site visits
- Some experiences of site visits

Presenter:
Mr Stewart Smith
Principal Council Officer
Legislative Council of New South Wales

Facilitator:
Beverly Duffy
Course Facilitator

Other ways of gathering evidence

- Forums
- Roundtables
- Social media

Facilitator:
Ms Miriam Cullen
Principal Council Officer
Legislative Council of New South Wales

Facilitator:
Beverly Duffy
Course Facilitator
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<td><strong>Afternoon tea</strong></td>
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<td><em>Venue:</em> Strangers Lounge</td>
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### Part 5: Briefing papers for hearings

**Learning objective:** Participants understand the purpose of briefing papers for public (and in camera) hearings and the processes for preparing briefing papers

3:30 pm  25   **Preparing briefing papers**
- Why prepare briefing papers?
- What should they contain?
- When should they be prepared?

- **Group exercise:** Prepare a briefing paper for hearing as part of the Orica Inquiry

**Presenter:**
Mr Stewart Smith  
Principal Council Officer  
Legislative Council of New South Wales

**Facilitator:**
Beverly Duffy  
Course Facilitator

4:30 pm  **Close**

**Return to Accommodation**
Day 4 | Thursday, 30 August 2012

9:00 pm  26  Review of Day 3
  - Lessons learned
  - Areas for further discussion

Facilitator:
Mr Trevor Rowe
Course Convener

Part 6: Gathering evidence at a public hearing

Learning objective: Participants understand the purpose of public hearings and how to prepare effectively for public hearings

9:20 am  27  Public hearings
  - Why do committees conduct public hearings?
  - Guiding principles

Preparing for a public hearing
  - Secretariat responsibilities:
    o Organisational tasks (prepare agendas, schedules, organise MPs to attend)
    o Briefing tasks (preparing briefing papers, copy and distribute submissions)
    o Witness and media liaison (invite witnesses, prepare and distribute media releases)
  - Committee members’ responsibilities:
    o Read briefing papers and submissions
    o Prepare questions
  - Witness responsibilities:
    o Prepare for questioning
    o Research Committee and its members

Presenter:
Mr Jonathan Elliott
Inquiry Manager
Legislative Assembly of New South Wales

Presenter:
Mr John Miller
Research Officer
Legislative Assembly of New South Wales

Facilitator:
Ms Helen Minnican
Course Facilitator
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<td><strong>Morning tea</strong></td>
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<td><em>Venue:</em> Strangers Lounge</td>
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<tr>
<td>10:45 am</td>
<td>28</td>
<td><strong>Procedural issues associated with hearings</strong></td>
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<td>• Witness protection</td>
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<td>• Oath or Affirmation</td>
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<td>• Contempt, false or misleading evidence</td>
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<td>• Private (in-camera) hearings</td>
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<td>• Presentation of documents</td>
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<td>• Questions on Notice</td>
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<td>• Recording evidence</td>
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<td>• Risks of poor procedures</td>
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<td><em>Presenter:</em> Ms Madeline Foley</td>
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<td>Director, Committees Legislative Council of New South Wales</td>
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<td>Course Facilitator</td>
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<td>11:45 am</td>
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<td><strong>Mock hearing - preparations</strong></td>
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<td>• Mock hearing involves three groups:</td>
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<td>o Committee Secretariat</td>
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<td>o Committee members</td>
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<td>o Witnesses</td>
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<td>• In three groups, Course participants prepare for Mock hearing</td>
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<td><em>Facilitator:</em> Trevor Rowe</td>
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<td>12:45 pm</td>
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<td><strong>Lunch</strong></td>
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<td>1:45 pm</td>
<td>29</td>
<td><strong>Mock hearing - preparations (continued)</strong></td>
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<td><strong>Afternoon tea</strong></td>
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<td><em>Venue:</em> LA Clerks dining room and balcony</td>
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<td>3:30 pm</td>
<td>30</td>
<td><strong>Mock hearing</strong></td>
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<td><em>Facilitator:</em> Trevor Rowe</td>
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<td>5:00 pm</td>
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Day 5 | Friday, 31 August 2012

9:00 pm 31 Review of Day 4
• Lessons learned
• Areas for further discussion

Facilitator:
Mr Trevor Rowe
Course Convenor

Part 7: Preparing and tabling committee reports

Learning objective: Participants understand the purpose and main parts of an effective committee report.

9:15 am 32 Committee reports
• Purpose - Why do parliamentary committees prepare reports?
• Audience - Who are reports prepared for?

Principles of good report writing
• Plain language
• Clear structure
• Reader-friendly design

Presenter:
Ms Miriam Cullen
Principal Council Officer
Legislative Council of New South Wales

10:00 am 33 Committee reports in the NSW Parliament
• Features:
  o Structure
  o Style
  o Consistency
• Report templates
  o Style templates versus reporting templates

Presenter:
Ms Rachel Callinan
Director, Committees
Legislative Council of New South Wales

Facilitator:
Ms Beverly Duffy
Course Facilitator

10:30 am  Morning tea
Venue: Strangers Lounge
10:45 am  34  **Analysing evidence and report writing**
- Evidence gaps and how to fill them
- Tensions inherent in the process
- Role of Committee Chair and Committee members
- Dissenting reports
- Report length
- Recommendations:
  - How many recommendations?
  - Features of an effective recommendation

*Presenter:*
Ms Rachel Callinan
Director, Committees
Legislative Council of New South Wales

*Group exercise:*
Draft 1 or 2 findings and associated recommendations from the Mock Hearing. Group to discuss the exercise.

*Facilitator:*
Ms Beverly Duffy
Course Facilitator

12:00 pm  Lunch

1:00 pm  35  **Report tabling**
- Preparing to table
  - Printing and signing by Committee Chair
  - Presenting minutes
  - Tabling statements
- Tabling in the Parliament
  - Administrative tasks
  - Tabling speeches
  - Things beyond our control
- Discussion: Experiences of Course participants

*Presenter:*
Mr Simon Johnston
Twinning Project Coordinator
New South Wales Parliament

*Facilitator:*
Helen Minnican
Course Facilitator
2:00 pm  36  **After tabling: Distributing and publicising a committee report**

- Distributing reports (or summaries) to stakeholders/media
  - How to get media attention
  - Challenges
- Internet publication
- Preparing press releases:
  - Features of a good press release
- Experiences of Course participants - Discussion

**Presenter:**
Ms Vedrana Trisic
Committee Office
Legislative Assembly of New South Wales

- **Group exercise:** Writing a media release for the press or radio promoting the findings and recommendations from the Mock Hearing

Ms Sam Brown
Marketing and Communications Officer
Department of Parliamentary Services

**Facilitator:**
Ms Helen Minnican
Course Facilitator

3:30 pm  **Afternoon tea**

*Venue:* Strangers Lounge

4:00 pm  37  **Course review**

- Principles behind:
  - Drafting Terms of Reference
  - Planning for inquiries
  - Gathering evidence
  - Analysing evidence
  - Drafting reports and recommendations
  - Publicising and following up reports

**Facilitator:**
Mr Trevor Rowe
Course Convenor
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<tr>
<th>Time</th>
<th>Session No.</th>
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<tbody>
<tr>
<td>4:30 pm</td>
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<td><strong>Course evaluation</strong></td>
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|        |              | *Facilitator:* Mr Stephen Reynolds  
|        |              | Deputy Clerk of the Legislative Council and Usher of the Black Rod |
| 5:00 pm|              | **Close**                      |
|        |              | **Proceed to Farewell drinks and Dinner** |
| 6:00 pm|              | **Farewell drinks and Dinner**  |
|        |              | *Venue:*                      
|        |              | **Waterfront**                 
|        |              | 27 Circular Quay West          
|        |              | The Rocks, Sydney NSW 2000    
|        |              | Telephone: 1300 115 116 or     
<p>|        |              | +61 2 9247 3666 (International) |</p>
<table>
<thead>
<tr>
<th>Name</th>
<th>Mobile</th>
<th>Email</th>
<th>Organisation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ms Beverly Duffy</td>
<td>+61 2 9230 3367 (w)</td>
<td><a href="mailto:Beverly.Duffy@parliament.nsw.gov.au">Beverly.Duffy@parliament.nsw.gov.au</a></td>
<td>Legislative Council, NSW Parliament</td>
</tr>
<tr>
<td>Ms Sheila Flores</td>
<td>+61 2 6125 5559</td>
<td><a href="mailto:sheila.flores@anu.edu.au">sheila.flores@anu.edu.au</a></td>
<td>CDI, Canberra</td>
</tr>
<tr>
<td>Mr Grant Harrison</td>
<td>+61 432 680 633 (m) + 61 2 6125 1832 (w)</td>
<td><a href="mailto:grant.harrison@anu.edu.au">grant.harrison@anu.edu.au</a></td>
<td>CDI, Canberra</td>
</tr>
<tr>
<td>Mr Les Gonye</td>
<td>--- (work) --- (mobile)</td>
<td><a href="mailto:Les.gonye@parliament.nsw.gov.au">Les.gonye@parliament.nsw.gov.au</a></td>
<td>Legislative Assembly, NSW Parliament</td>
</tr>
<tr>
<td>Mr Simon Johnston</td>
<td>+61 2 9230 2790 (w) +61 (0) 459 239 455 (m) + 61 2 9230 2981 (fax)</td>
<td><a href="mailto:Simon.Johnston@parliament.nsw.gov.au">Simon.Johnston@parliament.nsw.gov.au</a></td>
<td>Twinning Project, NSW Parliament</td>
</tr>
<tr>
<td>Ms Helen Minnican</td>
<td>+61 2 9230 2225 (w)</td>
<td><a href="mailto:Helen.minnican@parliament.nsw.gov.au">Helen.minnican@parliament.nsw.gov.au</a></td>
<td>Legislative Assembly, NSW Parliament</td>
</tr>
<tr>
<td>Mr Trevor Rowe</td>
<td>+61 432 420 240 (m) +61 2 9283 2488 (23-26 Aug) +61 2 8224 9400 (26-31 Aug)</td>
<td><a href="mailto:trevor.rowe.uk@gmail.com">trevor.rowe.uk@gmail.com</a></td>
<td>CDI</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>22-26 August: Hotel8 185 Castlereagh Street, Sydney, 2000 Tel. +61 2 9283 2488</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>26-31 August: Travelodge 165 Phillip Street, Sydney, 2000 Tel. +61 2 8224 9400</td>
</tr>
<tr>
<td>Dr Stephen Sherlock</td>
<td>+61 2 6125 0605 (w)</td>
<td><a href="mailto:stephen.sherlock@anu.edu.au">stephen.sherlock@anu.edu.au</a></td>
<td>CDI, Canberra</td>
</tr>
<tr>
<td>Ms Jenny Whight</td>
<td>+61 2 9230 2390 (w)</td>
<td><a href="mailto:Jenny.Whight@parliament.nsw.gov.au">Jenny.Whight@parliament.nsw.gov.au</a></td>
<td>Legislative Assembly, NSW Parliament</td>
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