



LEGISLATIVE COUNCIL

Legislative Council Select Committee

PRODUCTION OF DOCUMENTS

MEDIA ADVISORY

23 March 2021

The Legislative Council Select Committee on the Production of Documents has today tabled its Report. The Report is available on the Parliament of Tasmania website at: <https://www.parliament.tas.gov.au/ctee/Council/LC%20Select%20POD.html>

The Committee was established in response to disputes over the production of documents between governments and the Tasmanian Legislative Council and its Committees including Joint Committees. The report makes six recommendations.

Committee Chair, the Hon Ruth Forrest MLC stated:

The Tasmanian Legislative Council has the authority to treat refusal to produce documents as a contempt of the house and has a range of processes available that can be applied under standing orders to exert political pressure/remedies to respond to a refusal and that these processes have not been fully-exercised by the Tasmanian Legislative Council. The Committee recommended the Legislative Council and its committees consider the use of available punitive and coercive remedies to address disputes over the production of documents for when they may arise in the future.

The Committee further recommended an additional dispute resolution process be considered by the Legislative Council Standing Orders Committee through possible amendment to the Legislative Council's Standing Orders. This dispute resolution process be based upon the system of Responsible Government and underpinned by the power to call for documents, and consider the use of a suitably qualified independent adviser on claims of public interest immunity.

Further recommendations included:

- *Consideration be given to the development of procedural orders to assist when claims of public interest immunity arise in the Legislative Council and its committees.*
- *Government and state service employees, government business enterprises and state owned company employees and members of parliament receive education and training regarding the role and functions of the Tasmanian Parliament under the Westminster system of*

Responsible and Representative Government.

- *Guidelines be developed by government to clarify the rights and responsibilities of witnesses appearing on behalf of government presenting evidence and for the production of documents before parliamentary committees.*

Interested parties are invited to contact the Committee Chair, the Hon Ruth Forrest MLC, for any further discussion or clarification regarding the Report.

Members of the Committee are:

Hon Ruth Forrest MLC, Independent Member for Murchison (Chair)

Hon Ivan Dean MLC, Independent Member for Windermere (Deputy Chair)

Hon Meg Webb MLC, Independent Member for Nelson

Hon Josh Willie MLC, Labor Member for Elwick

For further information— Hon Ruth Forrest MLC, Chair 0419 879 524

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