



This brochure has information for witnesses at public hearings. More detailed information is available on our website: www.aph.gov.au/Parliamentary_Business/Committees/House/Appearing_as_a_witness.

Why do Committees have public hearings?

The main purpose of a parliamentary committee is to inquire into a particular topic and report back to the Parliament. Committees want to hear the views and opinions of people and organisations who know about the inquiry topic. To do this, committees usually ask for written submissions and hold public hearings.

Who can participate?

The committee decides who will be invited to give evidence at a hearing. Individuals giving evidence are referred to as witnesses.

An organisation invited to give evidence will usually decide who is the best person or people to represent it at the hearing. Organisations should ensure that the chosen witnesses have appropriate knowledge of the issues.

Most witnesses take part voluntarily. However, a committee has the power to summon (legally require) people to appear.

Before the hearing

The committee secretariat will contact witnesses to discuss the date, time and place of a hearing. If the hearing is to be held by teleconference or videoconference the secretariat will send instructions and links. The secretariat will also send you a link to the terms of reference for the inquiry, and a link to the resolutions agreed by the Parliament for the [protection of witnesses before committees](#).

Witnesses must complete a short form with their information for use by Hansard (who keep the official records of parliamentary business). This ensures that all personal information (name, job title) is correct on the formal record. Please advise the secretariat if witnesses need any special or additional support.

Hearings are usually broadcast. If you do not want the hearing to be broadcast, tell the committee secretariat before the hearing and give your reasons. The decision will be made by the committee whether they will allow evidence to be given in private. This request can also be made at any time during the hearing.

What happens at a public hearing?

Committee hearings are conducted in public, are broadcast and media may be present. A transcript is made and later published on the committee's website. A hearing is generally divided into sessions of around 30 to 60 minutes per witness or group.

Committees sometimes group witnesses together to hear from as many witnesses as possible in the time available and to allow more interaction between witnesses. Occasionally a Committee will hear brief statements — 5 to 10 minutes — from a larger number of people.

Being a witness step by step

- Arrive at the hearing venue at least 15 minutes before your scheduled time and introduce yourself to committee staff.
- When the committee is ready, the chair will call you to the table to give your evidence.
- The chair will make a formal statement informing you of your rights and obligations, and reminding you that these are parliamentary proceedings.
- The chair will ask you to state your full name and the capacity in which you are appearing before the committee (e.g. are you representing an organisation or appearing as a private citizen).
- You will usually have an opportunity to make a brief opening statement (less than five minutes) to give an overview of who you are and your main views on the subject.

- The committee will then ask you questions via the chair.
- You may take questions on notice and provide a written answer later if you are not able to answer the question at the time.
- At the end of the time slot, the chair will end the session and call the next witness.

Private hearings

While committee hearings are generally conducted in public, in some cases a committee may decide to take evidence privately (called 'in camera').

It is up to the committee to decide if evidence can be taken in private. They can decide based on the subject matter, or if a witness asks to give evidence in private. A witness can request privacy at any time, although the decision is up to the committee. If you think that your evidence should be given in private, please raise this with the secretariat before the hearing.

If the committee agree to evidence being given in private, the public and media will be excluded from the hearing. The committee retains the power to publish the evidence at a later date, although it will consult with the witness before deciding to publish.

Broadcasting

All public hearings are audio [broadcast live on the internet](#). Some hearings in Canberra are also video broadcast. The recordings (both audio and video) will be available on the website after the hearing.

Media may also be present. If you have concerns about being recorded, photographed or filmed, you should raise this with the committee secretariat before you start to give evidence. The committee can decide whether to allow the media to record.

Do you have other documents for the committee?

If you want to refer to other documents at the hearing, either send them to the secretariat at least two days before, or bring enough hard copies for all the committee members.

Government officials

The Parliament has resolved that departmental officers shall not be asked to give their opinions on policy, reasons for policy decisions or advice which staff may have tendered in policy formulation. Officers will be given reasonable opportunity to refer questions to their department or the appropriate minister (see also the document '[Government Guidelines for Official Witnesses before Parliamentary Committees and Related Matters](#)' available from the Department of the Prime Minister and Cabinet website).

After the hearing

Sometimes a committee may ask for additional information on specific issues from a witness after the hearing. The secretariat will also be in contact if you took any questions on notice to reply to later. Responses to questions taken on notice and further questions may be treated in the same way as written submissions — that is, accepted as evidence to the inquiry and published on the inquiry web page.

Hansard will make a transcript (written record) of the public hearings. You will be given a proof and the chance to correct any errors of transcription. Both proof and final transcripts for public hearings are published on the [Australian Parliament website](#).

When the inquiry is finished and the committee has published its report, the secretariat will let you know and send a link to the final report. You can also track the inquiry via the website by signing up to My Parliament: www.aph.gov.au/Help/Login.

Your rights

Giving evidence is protected by parliamentary privilege. This means that it is an offence for anyone to try to stop you from giving evidence by threats or intimidation. It is an offence for anyone to harass you or discriminate against you because you have given evidence. What you say in evidence to a committee cannot be used in court against you or anyone else. Committees can only ask questions that are relevant to the inquiry.

Your obligations

Committee hearings are a proceeding of the Parliament. Giving false or misleading evidence to a committee may be a contempt of Parliament under the *Parliamentary Privileges Act 1987*. Disorder and disruption during a hearing by anyone — including a witness — may also be a contempt of Parliament.

Further information

This information is for parliamentary committees in general. Some committees have different, very specific, legislated requirements. Further information can be obtained from the secretary of the committee conducting the particular inquiry or from the:

Office of the Clerk Assistant (Committees)
House of Representatives
Parliament House
CANBERRA ACT 2600

Tel: 02 6277 4397

Email: ClerkAssistant.Committees.reps@aph.gov.au

More information can be found in House of Representatives 'Procedures for dealing with witnesses' and the following pamphlets on parliamentary committees:

- Making a Submission
- Dealing with Parliamentary Committees — this pamphlet also lists contact details for each committee secretariat.

You can keep up with the work of parliamentary committees on Facebook, Twitter, YouTube and the media alert service, and by using the Track Committee facility, available on the [House of Representatives committee webpage](#).