

## DISCLOSURE OF IN CAMERA EVIDENCE PROPOSED RESOLUTION

That the following conditions apply to the disclosure of evidence taken *in camera* by a committee of the House:

- (1) Committees may take evidence in the following manner:
  - (a) By written submissions, whether in hard copy or electronic form;
  - (b) By oral evidence taken in public; and
  - (c) In private session.
- (2) A committee may, on its own initiative or at the request of, or on behalf of, a witness or organisation, hear evidence in private session. A witness shall be informed that it is within the power of the committee and the House to disclose all or part of the evidence subsequently. Publication of evidence would be the prerogative of the committee and would only be disclosed if the majority of the committee so decided by resolution.
- (3) Where a committee has agreed to take evidence *in camera*, and has given an undertaking to a witness that his or her evidence will not be disclosed, such evidence will not be disclosed by the committee or any other person, including the witness. With the written agreement of the witness, the committee may release such evidence in whole or in part.
- (4) Where a Member of the House of Representatives discloses *in camera* evidence other than as prescribed, the House may impose a penalty on the Member following investigation and report of the matter by the Committee of Privileges.
- (5) Evidence taken *in camera* which discloses a serious crime may, in respect to that part, be conveyed to the Speaker for appropriate action by the Chair, with the committee's approval.
- (6) No person not being an officer of the committee when the evidence was given will have access to evidence taken *in camera*, unless authorised by the full committee.
- (7) If a motion is to be moved in the House to release evidence taken *in camera* by one of its committees, notice must be given. Such notice will not be placed on the *Notice Paper* without the approval of the Speaker, who must consult the Attorney-General, the Chair of the relevant committee, the Prime Minister and the Leader of the Opposition and report the outcome of that consultation to the House.