



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON ECONOMY AND GENDER AND ECONOMIC EQUALITY
Mr James Milligan (Chair), Ms Suzanne Orr MLA (Deputy Chair),
Miss Laura Nuttall MLA

Mr Shane Rattenbury MLA
Attorney-General
ACT Legislative Assembly
GPO Box 1020
CANBERRA ACT 2600

Dear Attorney-General,

I write on behalf of the Standing Committee on Economy and Gender and Economic Equality, regarding your correspondence of 3 December 2023 to this Committee and the Standing Committee on Justice and Community Safety.

In your letter you raised concerns about a line of questioning at the Committees' hearings on their Inquiries into Annual and Financial Reports 2022-2023, in particular surrounding an alleged conflict of interest involving the Commissioner for Fair Trading. The Committee thanks you for providing further clarifying detail on the matter in question.

Your correspondence also requested that the Committee consider taking action on the matter under standing order 264B. The Committee notes that standing order 264B provides a procedure for handling adverse mentions made by witnesses giving evidence before a committee. As such, the standing order does not apply to any comments or allegations made by Mr Cain and Ms Lee in their capacity as visiting members at the hearing.

Adverse mention procedures

- 264B. (a) *Where a committee has reason to believe that evidence about to be given may reflect adversely on a person, the committee shall give consideration to hearing the evidence in private session.*
- (b) *Where a witness gives evidence reflecting adversely on a person... etc.*

The conduct of public hearings is managed by the Chair and committee members. For example, under standing order 234 the Chair and the committee members have discretion to ask a visiting member to leave. Mr Cain withdrew from a hearing of this Committee on 22 November 2023 at such a request. As new Chair of the Committee, I will ensure that we apply the standing orders diligently in the future.

If there are any questions in relation to this letter your staff may contact the Committee Secretary, Sophie Milne, on 620 50435.

Yours sincerely,



Mr James Milligan MLA
Chair
4 March 2024