



JOINT SELECT COMMITTEE ON AUSTRALIA'S FAMILY LAW SYSTEM

Chair's statement on inquiry

This statement was part of the opening statement at the committee's first hearing on 14 February 2020 in Canberra.

This inquiry has attracted a considerable amount of media and other comment, some of which has been inaccurate, so let me clarify at the outset a number of things. The committee relies primarily on written submissions. The purpose of the hearings is for the committee to ask questions about and examine the evidence put to the committee in submissions, and to clarify issues and proposals. No-one should assume that questions from committee members reflect any predetermined position by the committee. The committee will endeavour to ensure as best it can that the witnesses asked to appear at hearings reflect the cross section of views expressed to it about the terms of reference.

The committee has agreed to hear from individual witnesses in camera in accordance with its protocols in relation to submissions and hearings. This is to ensure the safety and privacy of witnesses and other parties to a family law dispute. Anyone reporting on the committee hearings needs to be aware of the obligations and constraints placed on them by parliamentary privilege and other legislation. While the Parliamentary Privileges Act provides a defence to an action for defamation where the defamatory matter is contained in a fair and accurate report of proceedings, that defence is unlikely to apply where a person alters or adds to the report on proceedings—for example, in commenting on footage from a hearing which is posted on social media. Any person or organisation should seek their own advice about reporting hearings.

As chair of this inquiry I will not be providing a running commentary on the proceedings, nor on comments made by others. My role is to chair the inquiry in as fair manner as I can and to guide the committee in the consideration of the evidence and the drafting of the report. I do not intend to repeat this part of the opening statement at every hearing. However, the secretariat will have a copy available at each hearing.