



Special Commission of Inquiry into LGBTIQ hate crimes

PRACTICE GUIDELINE 3 – Submissions

PART A – Introduction

1. This Practice Guideline (**PG 3**) should be read in conjunction with the *Special Commission of Inquiry Act 1983* (NSW) (**Act**), and the Terms of Reference contained in the Letters Patent establishing the Special Commission dated 19 April 2022.
2. This Practice Guideline provides guidance about the process and form of submissions.
3. This Practice Guideline may be varied or replaced at any time. The Special Commission may depart from this Practice Guideline if it considers it appropriate to do so.

PART B – Submissions in relation to individual cases

4. Throughout May and June 2023, Counsel Assisting will present documentary tenders in respect of all remaining individual cases.
5. In these cases, a set of the evidentiary material relevant to those cases will be assembled and tendered, accompanied by written and oral submissions by Counsel Assisting (**Counsel Assisting's submissions**). Counsel Assisting's submissions and the accompanying evidentiary material for each individual case will be publicly available on the Special Commission's website.
6. Persons granted authorisation to appear must make any written submissions in reply to Counsel Assisting's submissions (**reply submissions**) within two (2) weeks from the date of the public proceeding.
7. Persons granted authorisation to appear may seek to make further submissions in reply to the reply submissions of any other interested party (**further reply submissions**). Further reply submissions are required to be made within one (1) week from the due date of the reply submissions.

Submissions process

8. All written submissions by parties should be sent to the Solicitor Assisting the Special Commission by email to contact@specialcommission.nsw.gov.au

9. The Special Commission proposes to publish such submissions on the Special Commission’s website. If a party objects to this course of action, they should give notice to the Solicitor Assisting by email to contact@specialcommission.nsw.gov.au and the request will be considered.

PART C – Submissions in relation to Public Hearing 2

10. The submissions of Senior Counsel Assisting in relation to Public Hearing 2 will be served on persons granted authorisation to appear three (3) weeks after the conclusion of the hearing. The submissions of Senior Counsel Assisting will also be publicly available on the Special Commission’s website.
11. Persons granted authorisation to appear at Public Hearing 2 must make any submissions in reply within three (3) weeks of being served with the submissions of Senior Counsel Assisting.

Submissions process

12. All written submissions by parties should be sent to the Solicitor Assisting the Special Commission by email to contact@specialcommission.nsw.gov.au.
13. The Special Commission proposes to publish such submissions on the Special Commission’s website. If a party objects to this course of action, they should give notice to the Solicitor Assisting by email to contact@specialcommission.nsw.gov.au and the request will be considered.

PART D – Non-publication orders

14. Parties may apply for a non-publication order (**NPO**) in respect of any part of their written submissions at the time the written submissions are provided to the Special Commission. Practice Guideline 2, available on the Special Commission’s website, provides further guidance in relation to NPOs.

PART E – Final report

15. The Commissioner’s Final Report will be delivered to the Governor on or before 30 August 2023.

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