



# LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

15<sup>th</sup> Assembly

## LEGISLATIVE SCRUTINY COMMITTEE

### Public Briefing Transcript

10.30 am, Wednesday 27 May 2026

Litchfield Room

**Members:** Mrs Oly Carlson MLA, Chair, Member for Wulagi  
Mr Clinton Howe MLA, Deputy Chair, Member for Drysdale  
Mrs Laurie Zio MLA, Member for Fannie Bay  
Justine Davis MLA, Member for Johnston  
Mr Dheran Young, Member for Daly

**Witnesses:** *Attorney-General's Department*  
Janet Hanigan: Executive Director, Strategic Policy Coordination  
Rosslyn Chenoweth: Principal Policy Lawyer, Legislation and Legal Policy

**ATTORNEY-GENERAL'S DEPARTMENT**  
**Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026**

**Madam CHAIR:** On behalf of the committee, I welcome everyone to this public briefing into the Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026.

I welcome to the table to give evidence to the committee representatives from the Attorney-General's Department, Janet Hanigan, Executive Director, Strategic Policy Coordination and Rosslyn Chenoweth, Principal Policy Lawyer, Legislation and Legal Policy. Thank you for coming before the committee. We appreciate you taking the time to speak to the committee and look forward to hearing from you today.

This is a formal proceeding of the committee and the protection of parliamentary privilege and the obligation not to mislead the committee apply. This public briefing is being webcast through the Assembly's website. A transcript will be made for the use of the committee and may be put on the committee's website.

If, at any time during the hearing, you are concerned that what you will say should not be made public you may ask the committee to go into a closed session and take your evidence in private.

Could you please each state your name and the capacity in which you are appearing.

**Ms HANIGAN:** Janet Hanigan, Executive Director, Strategic Policy Coordination within the Attorney-General's Department, within the remit of my responsibilities with the Legislation and Legal Policy Unit that has worked on this Bill.

**Ms CHENOWETH:** Rosslyn Chenoweth, Principal Policy Lawyer, Legislation and Legal Policy Unit of the Attorney-General's Department.

**Madam CHAIR:** My name is Oly Carlson. I am the Chair of the committee. I have the Member for Drysdale, Clinton Howe; the Member for Fannie Bay, Laurie Zio; the Member for Johnston, Justine Davis; and online today we have the Member for Daly, Dheran Young.

Ms Hanigan, would you like to make an opening statement?

**Ms HANIGAN:** Actually, Ms Chenoweth will.

**Ms CHENOWETH:** Thank you to the committee for the opportunity to brief on the Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026. The purpose of the Bill overall is to make amendments to a number of key pieces of the legislation within the Attorney-General's portfolio to first, streamline,

modernise and rationalise the number and functions of various boards and committees within the Attorney-General's portfolio; second, deliver amendments to improve and clarify processes for the Public Trustee; and third, remove red tape to allow for more appropriate and efficient performance of government functions.

Through this briefing, our intention is to provide to the committee a short overview of the key amendments contained in the Bill. The Bill makes amendments to five Acts, as well as to the *Public Trustee Regulations 1979*. I will go through them in the order of the Bill.

First, the *Care and Protection of Children Act 2007*. Part 2 of the Bill repeals Chapter 3, Part 3.3 of the *Care and Protection of Children Act 2007* to abolish the Child Deaths Review and Prevention Committee, in order to allow transfer of its essential functions to relevant government agencies and the Coroner's Office.

This reform is intended to reduce overlapping functions with the Coroner as the person responsible for investigating reportable deaths, which includes all deaths of children in the care of the CEO of the Department of Children and Families. It reduces duplication in order to allow the transfer of other functions to be undertaken more effectively and integrated at an agency level.

The department is progressing work with relevant agencies, the Coroner's Office and the Children's Commissioner to confirm the transition arrangements.

Then there are the amendments to the *Electrical Safety Act 2022*. Part 3 of the Bill amends the *Electrical Safety Act 2022* to abolish the discipline committee under that Act and to merge its functions with the Electrical Safety Board. Specifically, clause 11 of the Bill repeals all of Part 5, Division 3 of the Act that is titled "Board committees" and replaces it with a new section 109 which sets out how the board is to conduct its meetings with respect to disciplinary matters.

The board will have greater flexibility in how disciplinary matters are dealt with by allowing disciplinary matters to be decided with either a full board meeting, or separately with a smaller quorum of three.

New section 109(1)(a) clarifies that for a board meeting, or part of a board meeting that relates to disciplinary matters, the legal member must still preside when they are being considered.

The repeal of Part 5, Division 3 of the *Electrical Safety Act 2022* also has the intended effect of repealing section 111 which currently enables the board to establish a committee. The ability to establish committees as formal statutory bodies is unnecessary as there is nothing preventing the board from setting up ad hoc working groups for specific matters as required.

To further streamline the process, clause 8(2) of the Bill amends that *Electrical Safety Act 2022* to reduce the requirement for the legal member to have five years' experience to three years legal experience. This is intended to provide greater flexibility in membership, while still requiring an appropriate level of expertise.

Schedule 1 includes further related and minor consequential amendments to the *Electrical Safety Act 2022*.

Part 4 of the Bill at clause 5 repeals Part 9 of the *Health and Community Services Complaints Act 1998* to abolish the Health and Community Services Review Committee (or the review committee). The review committee has a narrow function of reviewing processes and procedures of the Health and Community Services Complaints Commission in relation to complaints. The review committee rarely meets to make decisions and has rarely taken action. In any event, it has no ability to change a decision of the commission or to dismiss a complaint.

The commission has operated since 1998 with no evidence of significant concerns identified about its processes and procedures. The establishment of the Office of the Integrity and Ethics Commission will now include the commission and provide for a more streamlined oversight into the future.

Part 5 of the Bill at clause 18 amends section 8(3)(b)(i) of the *Liquor Commission Act 2018* to remove the words 'or the Territory'. This will allow for the chairperson to attend meetings remotely from outside the Territory. This amendment is in line with more modern approaches and reflects ongoing improvements in technology and wider acceptance of remote attendance. It is not intended to operate in order to facilitate the appointment of a chairperson from outside the NT, but to offer flexibility in how the commission operates.

Part 6 of the Bill then amends the *Public Trustee Act 1979* (the PT Act) and the Public Trustee Regulations 1979 to clarify procedures, increase efficiency, clarify timelines in reporting requirements and modernise the language. Specifically, a number of amendments will address the current financial year reporting time frames under the PT Act for both the Auditor-General and the Public Trustee. These are aimed at creating greater transparency as well as more realistic time frames for the annual reporting processes.

Clause 22 of the Bill amends section 19 to clarify that the first step in the annual reporting process, which is the annual audit by the Auditor-General of the Public Trustee's common funds, is to be finalised within six months after the end of the financial year. Other amendments are being made to clarify that the remaining annual reporting process flows from this timing, including the provision of information to the investors in the common fund.

Clause 24 of the Bill amends section 24C(1) of the PT Act to require this information to be given to investors as soon as practicable after the relevant annual report to the minister is tabled, as is required under section 18(3) of the PT Act.

Technical amendments are also being made throughout Part 6 of the Bill—for example, to clarify that levies and fees under the PT Act are inclusive of GST, reflecting advice from the Department of Treasury and Finance.

Schedule 2 also sets out minor amendments to modernise the PT Act.

Why do we need the amendments? The amendments will reduce red tape particularly associated with maintaining statutory boards, where the benefits to the community are of limited value or where the functions can be performed in more efficient and effective ways. The amendments will streamline processes, reduce overlapping functions within government and increase clarity and transparency in how government operates. These reforms will lead to greater flexibility and service responsiveness and an increased ability to respond to circumstances as they arise.

In the practical implications of the amendments, this Act will take effect on the day after assent by the Administrator. Commencement as soon as practicable will not impact the operation of the relevant boards and committees being abolished, as they are currently not operational due to lack of quorum.

Additionally, the transition of existing critical functions of the Child Death Review Committee to be retained will be finalised prior to the Act taking effect.

The Public Guardian and Trustee has been advised that the new annual reporting time frames in the Bill will apply to the 2025–26 reporting processes.

That is it. Thank you for the opportunity to appear this morning to brief you on this Bill. We are happy to take any questions.

**Madam CHAIR:** I will now open the floor for questions.

**J DAVIS:** Thank you both for appearing today and for that outline; it was helpful. One of the things you said is that the intention is to reduce—in relation to the Child Death Review Committee—overlap between that committee and other agencies. Can you identify specifically what overlaps exist and what the extent of them is? I know you have not seen the submissions yet. We have heard in submissions that overlap is, at the most, 20%, with 80% of child death reviewed by the committee not being reportable to the Coroner at all.

**Ms HANIGAN:** Not having seen the submission, the context of that statement was based on the functions of the committee. There is the maintenance of the child deaths register and reporting through to national statistics. That function is currently carried out by the Coroner's Office and the resource allocated to that function is being retained within the Coroner's Office. We are in the process of working with the Coroner's Office to ensure that function continues ...

**Madam CHAIR:** Member for Johnston, I remind you that any submissions cannot be ...

**J DAVIS:** Sorry, strike that. That comment has been said in the public space as well. Strike my reference to the submission.

**Ms HANIGAN:** Okay, no problems.

The work that the department is doing in order to transition the functions of the committee into relevant agencies and groups, including working with the Coroner's Office and having conversations with the Office of the Children's Commissioner are ongoing. They are not final, so I imagine we are still progressing that work with all of those stakeholders prior to the assent of the Bill.

**J DAVIS:** In the specific overlaps, which I think is the reason for transferring this to the Coroner, can you identify—are the only overlaps the reporting and the maintenance of the child death register?

**Ms HANIGAN:** Another function of the committee is to carry our research. We have a child/youth development research partnership group with Menzies that has access to a significant amount of data linkage across NT and SA. A previous member of the committee also sits on that committee. That is another example where we are looking at the functions as they are defined and have an understanding of what already exists within the statutory functions of the Coroner's Office, the Children's Commissioner's Office, as well as functions that are carried out by agencies and/or other functions that currently exist.

That can be further enhanced or can add some of the functions that were sittings within the committee, onto their scope.

**J DAVIS:** Child deaths at the moment which would be referred to that committee but would not be referred to the Coroner—what will be in place to make sure there is some kind of overarching research, taking into account working for future prevention? What will replace that if the Child Death Review Committee is not operating?

**Ms HANIGAN:** That is part of what is being considered through establishing and finalising the transition piece, which the department is leading.

**J DAVIS:** In relation to transition, I think you said it will commence the day after assent. My understanding is there is 151 child deaths which have not been reviewed since the committee last met. What will happen to all of those death reviews?

**Ms HANIGAN:** Sorry, they have already been referred to the committee?

**J DAVIS:** I do not know whether they have been referred to the committee but they have not been addressed anywhere. The committee has not met ...

**Ms HANIGAN:** No, that is correct.

**J DAVIS:** You explained that. There has been a significant period of time. The committee has not met since 2024. Is that correct?

**Ms HANIGAN:** That is correct.

**J DAVIS:** Okay. That is because the membership lapsed or people were not reappointed—I do not know what the process—we do not need to go into that now.

**Ms HANIGAN:** Quorum was not met. Yes, that is correct.

**J DAVIS:** My understanding is there are 151 child deaths that have not been reviewed over that period of time. What will happen with those death reviews?

**Ms HANIGAN:** We will take that into consideration as we are finalising the transitional piece and look to have a response in respect of those deaths.

**J DAVIS:** Through the Coroner?

**Ms HANIGAN:** We are working with a number of stakeholders. The department will consider that in terms of the work we are doing to progress the transition. We will work with our colleagues in DCF and relevant agencies.

**J DAVIS:** I have more questions, but I am happy to ...

**Madam CHAIR:** Member for Daly, do you have any questions?

**Mr YOUNG:** There was a recent coronial inquest into the death of three babies. That report was delivered on 30 April. One of the recommendations to the Northern Territory Government was to reestablish a comprehensive child death review process with all necessary expertise and resources to complete the process, make recommendations and to publicly report on deaths, findings, recommendations and outcomes. Can the department explain why this recommendation has not been

implemented and why this Bill is pursuing amendments directly in opposition of the evidence?

**Ms HANIGAN:** With respect to the coronial and the Coroner's report that you are referring to, the Attorney-General's Department has a clear process when it comes to coronials. Responding to recommendations out of a coronial follows a clear process of the Attorney-General writing to relevant agencies seeking response and then, ultimately a response to any coronial is then tabled in the Legislative Assembly.

In terms of the decision to abolish the Child Death Review Committee, that decision was made well in advance of that coronial report being handed down. Across ministerial portfolios, boards and committee reviews have been carried out by all ministers through their relevant agencies and departments. The abolishment of the Child Death Review Committee and the other changes that have come out of this Bill are not in isolation of a broader review that has been carried out across government.

The decision to abolish the Child Death Review Committee was an outcome of that review and took place well before the recommendations of this coronial were handed down.

**Mr YOUNG:** Was there any consultation with community stakeholders, relevant organisations, peak bodies or experts that has occurred on this Bill, in particular the abolishment of the Child Death Review Committee?

**Ms HANIGAN:** If you want more detail on the relevant ones we will split it up. I can confirm, with respect to the Public Guardian and the Liquor Commission there was consultations with the outgoing Chair of the Liquor Commission and the Public Guardian. The electrical safety was all internal.

With respect to the Child Death Review Committee and the Health Complaints Commission there was no consultation outside of government agencies.

**Mr YOUNG:** Why was there not any consultation done with any of those organisations or peak bodies into the Child Death Review Committee?

**Ms HANIGAN:** Not dissimilar with a number of other boards and committee reviews that were taking place; it was an administrative review that was carried out by the department with advice provided to government. Government made the decision and post-decision we have been consulting in terms of transitioning and the implementation of the decision.

**Mr YOUNG:** It was a decision of the government, not the department?

**Ms HANIGAN:** Government makes decisions with advice from their relevant department sponsoring any submissions that go up.

**Mr HOWE:** I will be quick. The Coroner can still investigate—this does not change anything that the Coroner can investigate?

**Ms HANIGAN:** No changes have been made to the *Coroner's Act* or the *Children's Commissioner Act* as a result of this Bill. We have not amended those Acts.

**Mr HOWE:** I know you are not the Coroner's Office, but what are the considerations for the Coroner in deciding to investigate a child death?

**Ms HANIGAN:** Apologies, I do not have it on us. It is defined in the *Coroner's Act* what is considered within scope as a Coroner to investigate.

**Ms CHENOWETH:** Yes, what is reportable death and what powers she has in relation to those are set out in that Act. They include children in the care of a CEO. There is a range of children—in youth detention. There is a range of definitions, yes.

**Mr HOWE:** That is all.

**J DAVIS:** My understanding is that any child death—for example, from disease or other morbid condition—would not be looked at by the Coroner. That is the bulk of child deaths in the Territory which would no longer be reviewed by the Coroner. Is that correct?

**Ms CHENOWETH:** It is whether they fall into the definition of reportable deaths. Some that might fall into the reportable death that are due to disease and ...

**J DAVIS:** Sure. Yes, the *Coroner's Act* is not changing at all? The issue I am interested in is that the *Coroner's Act* is limited in what he investigates in relation to child deaths. It cannot replace the current mechanism because that is much broader. I think all child deaths should be reviewed because that is in our interests in the Territory. Put that aside.

Did you have any more questions, Member for Drysdale.

**Mr HOWE:** No, no.

**J DAVIS:** I have a question about the health complaints. With the abolition of this, given that the role of AHPRA is different to the role of the Health Complaints Commissioner, how will patients and practitioners seek review now if they believe the commission has acted unfairly or processes were not followed?

**Ms CHENOWETH:** That is also a question for the new Integrity and Ethics Commission. It will be overseeing that. That role and part of that will fall into that space.

**J DAVIS:** How will that be made explicit? Can you step me through the process of that? How will people know that and when will that happen?

**Ms HANIGAN:** The newly established commission does not sit within our remit. The Department of the Chief Minister and Cabinet will be—my understanding is they are still establishing through a change management program, the health commission coming in. It has appointed a new CEO et cetera. It is not a question we can answer, noting our understanding is it will form part of the new way of the commission operating as a whole, with the relevant commission sitting under it.

**J DAVIS:** Just so I understand, the aim is to get to where the existing mechanism will not exist. Some of that will be taken over by AHPRA but some of it will sit under the new Integrity and Ethics Commission?

**Ms HANIGAN:** I do not want to speak on behalf of the new integrity commission. The point we made was that complaints commission was not used. It was for processes and procedures. The examples you are getting to were not typically covered by that committee.

**J DAVIS:** Okay. Does anyone else have questions? I have a few more questions if we have any more time.

**Ms ZIO:** My questions have even asked.

**J DAVIS:** Great. Coming back to the Child Death Review Committee, these proposed amendments will mean that we are now the only jurisdiction in Australia without a multidisciplinary review committee for child deaths. I want to put that on the table and wonder whether that had been considered in terms of developing these amendments—of abolishing the committee, not developing the amendments.

**Ms HANIGAN:** It has been considered in the context of transition to ensure that we retain those critical functions of the committee into the new way of operating.

**J DAVIS:** Can I confirm that you said the child death register will continue?

**Ms HANIGAN:** That is our expectation. I do not want to verbal the Coroner's Office. We are still working at an officer level. We had those discussions. The secretariat function of the committee is a resource that is staying with the Coroner's Office. We will work with the Coroner's Office on maintaining the register.

**J DAVIS:** I am happy to complete that for now, thank you.

**Madam CHAIR:** It is now 11 am. We have asked all our questions. I will do one final check. Do you have one last question, Member for Daly?

**Mr YOUNG:** No, that is all right, thank you.

**Madam CHAIR:** Thank you, Ms Hanigan and Ms Chenoweth for coming before the committee and answering our questions.

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The committee concluded.

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