



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

Social Policy Scrutiny Committee

Associated Minutes of Proceedings

**Inquiry into the Criminal Code
Amendment Bill 2018**

December 2018



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY
13th Assembly

SOCIAL POLICY SCRUTINY COMMITTEE
MINUTES OF PROCEEDINGS

Meeting No. 27

12.05 pm, Thursday, 1 November 2018
Litchfield Room

Present: Ms Ngaree Ah Kit MLA, Chair, Member for Karama
Mrs Lia Finocchiaro MLA, Member for Spillett
Mrs Robyn Lambley MLA, Deputy Chair, Member for Araluen
Ms Sandra Nelson MLA, Member for Katherine
Mr Chansey Paech MLA, Member for Namatjira

Secretariat: Julia Knight, Committee Secretary
Russell Keith, First Clerk Assistant

1. MINUTES OF PREVIOUS MEETING

Mrs Finocchiaro moved and Mr Paech seconded that:

The Minutes of Meeting No. 26 of 15 October 2018 be confirmed.

Question put and passed.

2. ELECTORAL AMENDMENT BILL

Ms Nelson moved and Mrs Lambley seconded that:

The Committee adopt the Chair's draft report *Inquiry into the Electoral Amendment Bill 2018* to be presented to the Speaker on Monday 5 November 2018 pursuant to SO 200(4) for subsequent tabling in the Assembly on Tuesday 27 November.

Question put and passed.

3. BILL REFERRALS

Ms Nelson moved and Mrs Finocchiaro seconded that:

The Committee:

- a) call for submissions on its inquiry into the Births, Deaths and Marriages Registration and Other Legislation Amendment Bill 2018 to be received by Wednesday, 14 November 2018.
- b) call for submissions on its inquiries into the Health Practitioner Regulation (National Uniform Legislation) and Other Legislation Amendment Bill 2018 and the Criminal Code Amendment Bill 2018 to be received by Wednesday, 21 November 2018.
- c) write to the responsible Ministers requesting a contact officer in relation to Bills referred and inviting representatives from the Departments to appear before the Committee at a public briefing on Monday, 19 November 2018.

Question put and passed.

It was further agreed that:

- a) the Committee Secretary provide an analysis of submissions received to its inquiry into the Births, Deaths and Marriages Registration and Other Legislation Amendment Bill to Committee members by close of business Friday, 16 November 2018.

- b) subject to the Chair's approval, copies of any submissions received to its inquiry into the Births, Deaths and Marriages Registration and Other Legislation Amendment Bill be provided to the Department of the Attorney-General and Justice ahead of the public briefing scheduled for Monday, 19 November 2018.

4. PETITION REFERRALS

Mrs Finocchiaro moved and Mrs Lambley seconded that:

Pursuant to Sessional Order 17(2), the Committee notify the Clerk that the Committee recommends that the Assembly debate Petition No. 27.

Question put and passed.

Mrs Finocchiaro moved and Mr Paech seconded that:

Pursuant to Sessional Order 17(2), the Committee notify the Clerk that the Committee recommends that the Assembly debate Petition No. 28.

Question put and passed.

5. NEXT MEETING

Public Briefing and Deliberative Meeting: 9.00 am – 12.00 pm, Monday, 19 November 2018

Meeting closed at 12.55 pm



Ms Ngaree Ah Kit, MLA
Chair



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY
13th Assembly

SOCIAL POLICY SCRUTINY COMMITTEE
MINUTES OF PROCEEDINGS

Meeting No. 28

9.00 am, Monday, 19 November 2018
Litchfield Room

- Present:** Ms Ngaree Ah Kit MLA, Chair, Member for Karama
Mrs Lia Finocchiaro MLA, Member for Spillett
Mrs Robyn Lambley MLA, Deputy Chair, Member for Araluen
Ms Sandra Nelson MLA, Member for Katherine
Mr Chansey Paech MLA, Member for Namatjira
- Secretariat:** Julia Knight, Committee Secretary
Russell Keith, First Clerk Assistant
Elise Dyer, Senior Research Officer
Kim Cowcher, Administration Assistant

1. MINUTES OF PREVIOUS MEETING

Mr Paech moved and Mrs Finocchiaro seconded that:

The Minutes of Meeting No. 27 of 1 November 2018 be confirmed.

Question put and passed.

2. CORRESPONDENCE

Noted

3. PETITIONS

Mrs Finocchiaro moved and Mrs Lambley seconded that:

The Committee forward letters to the Clerk advising of the Committee's recommendation as to whether a Petition should or should not be debated to all Members of the Assembly.

Question put and passed.

**4. BIRTHS, DEATHS AND MARRIAGES REGISTRATION AND OTHER LEGISLATION
AMENDMENT BILL 2018**

Mrs Lambley moved and Mrs Finocchiaro seconded that:

The Committee authorise publication of submissions received.

Question put and passed.

5. PUBLIC BRIEFINGS

The following witnesses appeared before the Committee:

***Health Practitioner Regulation (National Uniform Legislation) and Other Legislation
Amendment Bill 2018***

- Philip Brennan: Senior Consultant Workforce Strategy, Department of Health

Births, Deaths and Marriages Registration and Other Legislation Amendment Bill 2018

Pursuant to Sessional Order 16, Member for Nelson, Mr Gerry Wood MLA, joined the Committee for this briefing.

- Hannah Clee: Senior Policy Lawyer, Legal Policy, Department of the Attorney-General and Justice

- Alexandra Lillis: Legal Policy Lawyer, Department of the Attorney-General and Justice

Criminal Code Amendment Bill 2018

- Hannah Clee: Senior Policy Lawyer, Legal Policy, Department of the Attorney-General and Justice
- Henrik Hartmann: Legal Policy Lawyer, Department of the Attorney-General and Justice

**6. BIRTHS, DEATHS AND MARRIAGES REGISTRATION AND OTHER LEGISLATION
AMENDMENT BILL 2018**

Mrs Lambley moved and Mrs Finocchiaro seconded that:

The Committee invite the Northern Territory Anti-Discrimination Commissioner, Intersex Human Rights Australia, the Human Rights Law Council and a representative from the medical profession to appear before the Committee at its public hearing on Wednesday 21 November 2018.

Question put and passed.

7. NEXT MEETING

Public Hearing and Deliberative Meeting: 9.00 am – 12.00 pm, Wednesday, 21 November 2018

Meeting closed at 12.15 pm



**Ms Ngaree Ah Kit, MLA
Chair**



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY
13th Assembly

SOCIAL POLICY SCRUTINY COMMITTEE
MINUTES OF PROCEEDINGS

Meeting No. 31

1.00 pm, Thursday, 29 November 2018
Litchfield Room

Present:	Ms Ngaree Ah Kit MLA, Chair, Member for Karama Mrs Lia Finocchiaro MLA, Member for Spillett Ms Sandra Nelson MLA, Member for Katherine
Apologies	Mrs Robyn Lambley MLA, Deputy Chair, Member for Araluen Mr Chansey Paech MLA, Member for Namatjira
Secretariat:	Julia Knight, Committee Secretary Russell Keith, First Clerk Assistant

1. MINUTES OF PREVIOUS MEETINGS

Mrs Finocchiaro moved and Ms Nelson seconded that:

The Minutes of Meetings No. 30 of 26 November 2018 be confirmed.

Question put and passed.

2. CORRESPONDENCE

Noted

3. CRIMINAL CODE AMENDMENT BILL 2018

Ms Nelson moved and Mrs Finocchiaro seconded that:

The Committee authorise publication of the submissions received.

Question put and passed.

The Committee further agreed to grant the Australian Lawyers for Human Rights an extension through to close of business Monday 3 December to make a submission to the Committee's inquiry.

Mrs Finocchiaro moved and Ms Ah Kit seconded that:

The Committee invite representatives from St John Ambulance Australia (NT) Inc., the Law Society NT, and the Department of the Attorney-General and Justice to appear before the Committee at a public hearing on Thursday 6 December 2018.

Question put and passed.

4. NEW BILL INQUIRIES

During the November sittings the following Bills were referred to the Committee for inquiry and report by 12 March 2019:

- Health Services Amendment Bill 2018
- Electoral Legislation Amendment Bill 2018
- Public Information Legislation Amendment Bill 2018

Ms Nelson moved and Mrs Finocchiaro seconded that:

1. The Committee call for submissions on its inquiries into Bills referred during the November sittings to be received by Wednesday 30 January 2019.

2. The Committee write to the responsible Ministers requesting a contact officer in relation to the Bills referred and inviting representatives from the Department to appear before the Committee at a public briefing on Monday 3 December 2018.

Question put and passed.

5. NEXT MEETINGS

Public Briefing New Bill Referrals: 3.00 pm to 4.30 pm, Monday 3 December 2018

Public Hearing (Criminal Code Amendment Bill) and Deliberative Meeting: 3.00 pm to 5.00 pm, Thursday 6 December 2018

Meeting closed at 1.20 pm



**Ms Ngaree Ah Kit, MLA
Chair**



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY
13th Assembly

SOCIAL POLICY SCRUTINY COMMITTEE
MINUTES OF PROCEEDINGS

Meeting No. 33

3.00 pm, Thursday 6 December 2018
Litchfield Room

Present:	Ms Ngaree Ah Kit MLA, Chair, Member for Karama Mrs Lia Finocchiaro MLA, Member for Spillet Ms Sandra Nelson MLA, Member for Katherine
Apologies	Mr Chansey Paech MLA, Member for Namatjira Mrs Robyn Lambley MLA, Deputy Chair, Member for Araluen
Secretariat:	Julia Knight, Committee Secretary Elise Dyer, Senior Research Officer

1. PUBLIC HEARING – CRIMINAL CODE AMENDMENT BILL 2018

The Committee heard from the following witnesses:

- Judith Barker: Chief Executive Officer, St John Ambulance Australia (NT) Inc.
- Russell Goldflam: Social Justice Committee, Law Society NT
- Fiona Hardy: Principal Policy Law Officer, Legal Policy, Department of the Attorney-General and Justice
- Caroline Heske: Senior Policy Lawyer, Legal Policy, Department of the Attorney-General and Justice.

Committee adjourned at 4.20 pm

DELIBERATIVE MEETING

2. CONFIRMATION OF MINUTES:

Mrs Finocchiaro moved and Ms Nelson seconded that:

The Minutes of Meeting 31 of 29 November 2018 be confirmed.

Question put and passed.

Ms Nelson moved and Mrs Finocchiaro seconded that:

The Minutes of Meeting 32 of 3 December 2018 be confirmed.

Question put and passed.

3. CRIMINAL CODE AMENDMENT BILL 2018

Mrs Finocchiaro moved and Ms Nelson seconded that:

The Committee authorise publication of the Department of Attorney-General and Justice's response to the Committee's written questions on the Criminal Code Amendment Bill 2018.

Question put and passed.

Mrs Finocchiaro moved and Ms Nelson seconded that:

The Chair's draft report address the issues raised in submissions and incorporate the recommendation as agreed to by the Committee.

Question put and passed.

4. NEXT MEETING

Deliberative Meeting: 3.30 pm, Thursday 13 December – Consider/Adopt Chair’s Draft Report on the Criminal Code Amendment Bill 2018.

Meeting Closed at 4.45 pm

A handwritten signature in blue ink that reads "Ngaree". The signature is written in a cursive style with a horizontal line underneath the name.

**Ms Ngaree Ah Kit, MLA
Chair**



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY
13th Assembly

SOCIAL POLICY SCRUTINY COMMITTEE

MINUTES OF PROCEEDINGS

Meeting No. 34

3.30 pm, Thursday, 13 December 2018
Litchfield Room

Present: Ms Ngaree Ah Kit MLA, Chair, Member for Karama
Mrs Lia Finocchiaro MLA, Member for Spillett
Mrs Robyn Lambley MLA, Deputy Chair, Member for Araluen

Apologies Ms Sandra Nelson MLA, Member for Katherine
Mr Chansey Paech MLA, Member for Namatjira

Secretariat: Julia Knight, Committee Secretary

1. MINUTES OF PREVIOUS MEETINGS

Mrs Lia Finocchiaro moved and Ms Ngaree Ah Kit seconded that:

The Minutes of Meetings No. 33 of 6 December 2018 be confirmed.

Question put and passed.

2. CORRESPONDENCE

Noted

3. CRIMINAL CODE AMENDMENT BILL 2018

Mrs Lia Finocchiaro moved and Mrs Robyn Lambley seconded that:

The Committee adopt the Chair's draft report *Inquiry into the Criminal Code Amendment Bill 2018* to be presented to the Speaker on Thursday 13 December 2018 pursuant to SO 200(4) for subsequent tabling in the Assembly on Tuesday, 12 February 2019.

Question put and passed.

4. REVIEW OF SCRUTINY COMMITTEE PROCESS

The Chair advised that she would invite comments from Committee members regarding the scrutiny committee process for consideration at the Committee's next meeting.

5. NEXT MEETINGS

Deliberative Meeting: 12.00 pm, Thursday, 14 February 2019.

Meeting closed at 3.37 pm

Ms Ngaree Ah Kit, MLA
Chair