



**LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY**

**Legislation Scrutiny Committee**

---

**Associated Minutes of Proceedings**

**Inquiry into the Courts  
Legislation Amendment Bill 2019**

---

**December 2019**



# LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

13<sup>th</sup> Assembly

## Economic Policy Scrutiny Committee

### MINUTES OF PROCEEDINGS

#### Meeting No. 52

12.45 pm, Thursday, 17 October 2019  
Litchfield Room

**Present:** Mr Tony Sievers MLA, Chair, Member for Brennan  
Mr Lawrence Costa MLA, Deputy Chair, Member for Arafura  
Mrs Kate Worden MLA, Member for Sanderson  
Mrs Lia Finocchiaro MLA, Member for Spillett  
Mr Jeff Collins MLA, Member for Fong Lim

**Secretariat:** Jennifer Buckley, Committee Secretary  
Elise Dyer, Senior Research Officer  
Russell Keith, First Clerk Assistant

---

#### 1. MINUTES OF PREVIOUS MEETING

Mr Collins moved and Mrs Worden seconded that:

The Minutes of Meeting No. 51 of 7 October 2019 be confirmed.

Question put and passed.

#### 2. CORRESPONDENCE

Noted.

#### 3. SEX INDUSTRY BILL 2019

Mr Collins moved and Mrs Worden seconded that:

The Committee authorise publication of submissions received with respect to submission numbers 16 to 47.

Question put and passed.

Mr Costa moved and Mr Collins seconded that:

The Committee invite representatives from the Department of Attorney-General and Justice, and those who provided a submission that the Committee would like to hear from, to appear before the Committee at its public hearing on Tuesday 29 October 2019.

Question put and passed.

Mr Collins moved and Mrs Worden seconded that:

The Committee forward questions to the Attorney-General and Minister for Justice requesting a written response by Thursday 24 October 2019.

Question put and passed.

#### 4. WORK HEALTH AND SAFETY (NATIONAL UNIFORM LEGISLATION) AMENDMENT BILL 2019

Mr Collins moved and Mr Costa seconded that:

The Committee authorise publication of submissions received noting that the Committee agreed to accept and publish the updated submission provided by AMWU.

Question put and passed.

Mr Collins moved and Mrs Worden seconded that:

The Committee forward questions to the Attorney-General requesting a written response by Tuesday 29 October 2019.

Question put and passed.

**5. FIREARMS LEGISLATION AMENDMENT BILL 2019**

Mrs Worden moved and Mr Collins seconded that:

The Committee authorise publication of submissions received.

Question put and passed.

**6. BILLS REFERRED DURING OCTOBER SITTINGS**

Mr Collins moved and Mr Costa seconded that the Committee:

1. Call for submissions to its inquiries into Bills referred in the October sittings to be received by Wednesday 13 November 2019.
2. Write to responsible Ministers requesting contact officers in relation to Bills referred in September sittings and inviting departmental representatives to appear before the Committee at a public briefing on Tuesday 29 October 2019.

Question put and passed.

The Committee agreed to hold public briefings on Bills referred during the October sittings on 29 October 2019 after the public hearing on the Sex Industry Bill 2019.

**7. PROCEDURAL RESOLUTION**

Mr Collins moved and Mr Costa seconded:

That pursuant to Standing Order 194(1), unless the Department requests confidentiality, the Committee authorises publication of departmental responses to the Committee's written questions on Bills following receipt.

Question put and passed.

**8. OTHER BUSINESS**

Mr Collins tabled letters from students from Stuart Park Primary School regarding single use plastics and suggested that the Committee might consider reviewing these to determine whether they would like to look into this further under Sessional Order 13(4)(a)(iii).

Mrs Worden moved and Mr Collins seconded that:

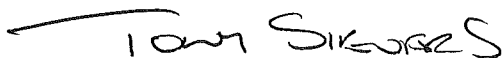
The letters from students be circulated to Committee members.

Question put and passed.

**9. NEXT MEETING**

Tuesday 29 October 2019 – public hearing and public briefings

Meeting closed at 1.13 pm



**Mr Tony Sievers, MLA**  
Chair



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

13<sup>th</sup> Assembly

**Economic Policy Scrutiny Committee**

**MINUTES OF PROCEEDINGS**

**Meeting No. 53 (public hearing and public briefings)**

8.30 am, Tuesday, 29 October 2019  
Litchfield Room

**Present:** Mr Tony Sievers MLA, Chair, Member for Brennan  
Mr Lawrence Costa MLA, Deputy Chair, Member for Arafura  
Mrs Kate Worden MLA, Member for Sanderson  
Mr Gary Higgins MLA, Member for Daly  
Mr Jeff Collins MLA, Member for Fong Lim

**Secretariat:** Jennifer Buckley, Committee Secretary  
Elise Dyer, Senior Research Assistant

---

**1. WELCOME**

Mr Collins moved and Mrs Worden seconded:

That no Members other than Committee members participate in any closed sessions held during the public hearing on the Sex Industry Bill 2019.

Question put and passed.

**2. PUBLIC HEARING – SEX INDUSTRY BILL 2019**

The Committee heard from the following witnesses:

***Scarlet Alliance***

- Jules Kim, Chief Executive Officer

***Northern Territory Women's Legal Services***

- Caitlin Weatherby-Fell, Senior Solicitor, Top End Women's Legal Service, Representative, Northern Territory Women's Legal Services

***Private Individual***

- Dr Caroline Norma – member of Coalition Against Trafficking in Women Australia

***Australian Christian Lobby***

- Wendy Francis, NT Director
- Ally-Marie Diamond, former sex worker

Tabled Paper 1- *Joint statement from the Ministry for Foreign Affairs in France and from the*  
1: *Ministry for Foreign Affairs in Sweden*

***Private Individual***

- Sienna Charles, sex worker
- Partner

### **Priceless**

- Matthew Davis, Spokesperson for Priceless
- Sabrina Valisce, former prostitute

*Exhibit 1-1: Prostitution Narratives, Stories of the Sex Trade (book)*

### **Sex Worker Outreach Program NT and Sex Worker Reference Group**

- Leanne Melling, Peer Educator
- Polly Raise, Peer Educator
- Skye Ozanne, Peer Educator
- Addison Wood, Peer Educator
- Desirae August, Peer Educator and Chair of the Scarlet Alliance Aboriginal & Torres Strait Islander Sex Workers Working Group

*Tabled Paper 1-2 Press Release: 17 Dec 17 from Sex Worker Outreach Program NT (SWOP NT) and Sex Workers Reference Group (SWRG)*

*Tabled Paper 1-3 Summary of information on offences under the Prostitution Regulation Act 1992*

*Tabled Paper 1-4 SWOP NT and SWRG, Collective submission in response to the Northern Territory Government Discussion Paper, released September 2017, Modernisation of the Anti-Discrimination Act*

*Tabled Paper 1-5 SWOP NT and SWRG, Reforming regulation of the sex industry in the Northern Territory, Collective submission in response to the Northern Territory Government Discussion Paper – release 29 March 2019*

### **Exhibits:**

- NTAHC, 'Suck it';
- Scarlet Alliance, *STI Handbook: A reference guide for sex workers to sexually transmissible infections;*
- *Work Health and Safety Handbook, A safety guide for the NT professional seafood industry;*
- *A legal resources for sex workers (booklet);*
- *Brochures – Touching base – sex workers and people with disability coming together;*
- *Scarlet Alliance – Brochure in Chinese.*

### **NT AIDS and Hepatitis Council**

- Genevieve Dally, Executive Director, NT AIDS and Hepatitis Council
  - Heath Paynter, Deputy CEO, Australian Federation of AIDS Organisations
  - Leanne Melling, Coordinator, Sex Worker Outreach Program NT
- Tabled Paper 1-6 Northern Territory AIDS and Hepatitis Council (NTAHC)/SWOP NT/National Federation of AIDS Organisations, NTAHC 2019 Annual Report*
- Tabled Paper 1-7 Northern Territory AIDS and Hepatitis Council (NTAHC)/SWOP NT/National Federation of AIDS Organisations, NTAHC/SWOP NT, Report against performance measures*

*Tabled Paper 1-8* Northern Territory AIDS and Hepatitis Council (NTAHC)/SWOP  
NT/National Federation of AIDS Organisations, NT Department of Health  
Strategic and Operational Plan: NT Sexually Transmissible Infections and  
Blood Borne Viruses

*Tabled Paper 1-9* NTAHC, Statutes Amendment (Decriminalisation of Sex Work) Bill 2018  
(SA)

***Department of the Attorney-General and Justice***

- Doug Burns, Senior Policy Lawyer, Legal Policy
- Hannah Clee, Senior Policy Lawyer, Legal Policy

**3. PUBLIC BRIEFINGS ON BILLS REFERRED IN OCTOBER SITTINGS**

**Residential Tenancies Legislation Amendment Bill 2019**

*Department of the Attorney-General and Justice*

- Doug Burns, Senior Policy Lawyer, Legal Policy
- Hannah Clee, Senior Policy Lawyer, Legal Policy

*Department of Local Government, Housing and Community Development*

- Tanya Hancock, Director, Strategy, Policy and Performance
- Christine Fitzgerald, Executive Director, Strategy, Policy and Performance

The Member for Sanderson asked the secretary to request a flow chart on how pets are dealt with in rentals.

**Criminal Property Forfeiture Amendment Bill 2019**

*Department of the Attorney-General and Justice*

- Caroline Heske, Senior Policy Lawyer, Legal Policy
- Henrik Hartmann, Policy Lawyer, Legal Policy

*Question on Notice:*

*The definition of “contributing jurisdiction” under proposed section 130A does not appear to include the Northern Territory. However, it would appear that it is meant to include the NT, as proposed sections 130G(4)(d), 130P and 130Q all refer to “other contributing jurisdictions”. In addition, proposed section 130J(1) refers to sharing the proceeds between “contributing jurisdictions”.*

*Please clarify why the NT is not included in the definition of “contributing jurisdiction” and whether this is covered by another provision in the Bill.*

*Tabled Paper 1- Flow chart for sharing joint proceeds of crime operations*  
10

**Courts Legislation Amendment Bill 2019**

*Department of the Attorney-General and Justice*

- Jenni Daniel-Yee, Director, Legal Policy, Solicitor for the Northern Territory
- Henrik Hartmann, Policy Lawyer, Legal Policy

*Question on notice* – What, if any, provision will Project Odyssey make to cater for individuals who are unable to, or do not wish to, use electronic methods for the filing and service of documents. This could include people who are not confident using such technology or people in remote areas where reception is erratic.

**4. OTHER BUSINESS**

Mrs Worden moved and Mr Collins seconded that:

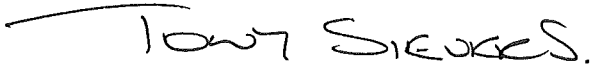
The Committee agree to the request by the Public Health Association of Australia to withdraw their submission to the *Inquiry into the Sex Industry Bill 2019*.

Question put and passed.

**5. NEXT MEETING**

Wednesday 13 November 2019 – Consideration of evidence on Bills referred in September sittings.

Meeting closed at 2.15 pm

A handwritten signature in black ink that reads "Tony Sievers." The signature is written in a cursive style with a long horizontal stroke at the beginning.

**Mr Tony Sievers, MLA**  
**Chair**



# LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

13<sup>th</sup> Assembly

## LEGISLATION SCRUTINY COMMITTEE

### MINUTES OF PROCEEDINGS

#### Meeting No. 1

12.00 pm, Thursday 28 November 2019

Litchfield Room

**Present:** Ms Ngaree Ah Kit MLA, Member for Karama  
Ms Sandra Nelson MLA, Member for Katherine  
Mr Tony Sievers MLA, Member for Brennan  
Mrs Lia Finocchiaro MLA, Member for Spillett  
Mrs Robyn Lambley MLA, Member for Araluen

**Secretariat:** Russell Keith, First Clerk Assistant  
Julia Knight, Committee Secretary  
Jennifer Buckley, Committee Secretary  
Elise Dyer, Senior Research Officer

---

#### 1. ELECTION OF CHAIR

The Secretary called for nominations for Chair.

Mr Sievers nominated Ms Ah Kit to be Chair of the Committee. Mrs Finocchiaro seconded the nomination.

As there were no other nominations, the Secretary declared Ms Ah Kit to be the elected Chair of the Committee.

#### 2. ELECTION OF DEPUTY CHAIR

The Chair called for nominations for Deputy Chair.

Mrs Finocchiaro nominated Ms Nelson to be the Deputy Chair of the Committee. Mr Sievers seconded the nomination.

As there were no other nominations, the Chair declared Ms Nelson to be the elected Deputy Chair of the Committee.

#### 3. COMMITTEE'S TERMS OF REFERENCE

Noted

#### 4. PROCEDURAL RESOLUTIONS

Mrs Finocchiaro moved and Mr Sievers seconded that:

1. That pursuant to Standing Order 194(1), the Committee authorises the publication of final public hearing transcripts after witnesses have had 3 business days to make any corrections.
2. That pursuant to Standing Order 194(4), the Committee authorises the Chair of the Committee to issue media releases and give briefings on matters relating to its inquiry.
3. That pursuant to Standing Order 194(1), unless the Department requests confidentiality, the Committee authorises publication of departmental responses to the Committee's written questions on Bills following receipt

Question put and passed.



## **5. STANDARD PROCEDURES FOR BILL INQUIRIES**

Ms Nelson moved and Mrs Finocchiaro seconded that:

1. The Committee will call for submissions on the Bill to be due by the Wednesday in the second week before the next sittings of the Assembly;
2. Following the end of a sittings period, the Chair of the Committee will issue a notice listing the Bills on which the Committee is calling for Submissions and the date by which submissions are due;
3. Notices calling for submissions will be distributed on the Assembly's website, by email to subscribers of the committee email alert service, by Facebook and Twitter posts and by email or letter to persons and organisations determined by the Chair following consultation by email with Committee members.
4. The Chair will write to the Minister who introduced the Bill to request a contact officer for the Bill and a briefing on the Bill from the responsible Department for Committee members;
5. After the due date for submissions, the Committee will determine whether and when to hold public hearings and who shall be invited to appear at the hearings;
6. If any Member wishes to amend this standard procedure for a particular Bill, they shall advise the Chair who will then convene a meeting to consider that Bill's inquiry process at the earliest convenient opportunity.

Question put and passed.

## **6. STATUS OF BILL INQUIRIES**

Noted

## **7. PROPOSED BILL INQUIRY PLAN**

Mrs Finocchiaro moved and Mr Sievers seconded that:

1. That the Committee call for submissions to its inquiries into Bills referred in the November sittings to be received by Wednesday 29 January 2020.
2. That the Committee write to the responsible Ministers requesting a contact officer in relation to Bills referred in the November sittings and inviting departmental representatives to appear before the Committee at a public briefing on Monday 9 December 2019

Question put and passed.

## **8. COURTS LEGISLATION AMENDMENT BILL 2019**

Mr Sievers moved and Ms Nelson seconded that:

The Committee adopt the Chair's draft 'No Issues' report, *Inquiry into the Courts Legislation Amendment Bill 2019* to be sent to the Speaker on Monday 2 December 2019 pursuant to SO 200(4) for subsequent tabling in the Assembly on Tuesday 11 February 2020.

Question put and passed.

## **9. CRIMINAL PROPERTY FORFEITURE AMENDMENT BILL 2019**

Mr Sievers moved and Ms Nelson seconded that:

The Committee adopt the Chair's draft report, *Inquiry into the Criminal Property Forfeiture Amendment Bill 2019* to be sent to the Speaker on Monday 2 December 2019 pursuant to SO 200(4) for subsequent tabling in the Assembly on Tuesday 11 February 2020.

Question put and passed.

## **10. RESIDENTIAL TENANCIES LEGISLATION AMENDMENT BILL 2019**

Mr Sievers moved and Mrs Finocchiaro seconded that:

1. That the Committee forward the questions of the department to the Attorney-General and Minister for Justice requesting a written response by Thursday 5 December 2019.

2. That the Committee invite representatives from the departments of the Attorney-General and Justice and Local Government, Housing and Community Development, the Northern Territory Civil and Administrative Tribunal, the Darwin Community Legal Service and the Real Estate Institute of the Northern Territory to appear before the Committee at its public hearing on Monday 9 December.

Question put and passed.

The Chair requested that Members advise the Committee Secretary, Julia Knight, of any additional witnesses they wish to hear from by 12 noon on Monday 2 December 2019.

#### **11. 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 Nos. 43 and 44.

Question put and passed.

#### **12. NEXT MEETING**

Monday 9 December: 10.00 am to 4.00 pm - Public Briefings on Bills referred in November sittings and Public Hearing on the Residential Tenancies Legislation Amendment Bill.

Meeting closed at 12.40 pm.

**Ms Ngaree Ah Kit, MLA**  
**Chair**