



Legislative Assembly of the Northern Territory

Legislative Scrutiny Committee

Inquiry into the Attorney- General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026

July 2026



Inquiry into the Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026



Legislative Assembly of the Northern Territory

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Chair's Preface

This report details the Committee's finding regarding its consideration of the Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026. The Bill seeks to amend the *Care and Protection of Children Act 2007*, the *Electrical Safety Act 2022*, the *Health and Community Services Complaints Act 1998*, the *Liquor Commission Act 2018*, the *Public Trustee Act 1979* and the *Public Trustee Regulations 1979*. As such, the Bill seeks to disestablish the Child Death Review and Prevention Committee, the Discipline Committee of the Electrical Safety Board and the Health and Community Services Complaints Commission Review Committee; amend procedures of the Electrical Safety Board and the Liquor Commission; and amend the audit requirements of the Public Trustee.

The Committee received 5 written submissions to its Inquiry. The Committee also received a public briefing from the Attorney-General's Department. Following consideration of the Bill, the Committee is of the view that the Assembly should pass the Bill with the proposed amendment set out in recommendation 2.

The majority of submitters commented on the proposed abolition of the Child Death Review and Prevention Committee in Part 2 of the Bill, with most submitters opposed to its abolition. However, following careful consideration of the Bill and advice from the Attorney-General's Department regarding the concerns of stakeholders, the Committee is satisfied that existing agencies and Offices will be able to carry out the functions of the Child Death Review and Prevention Committee capably, without risk of undermining these important functions.

The Northern Territory Auditor-General's Office also raised concerns regarding the audit requirements of the Public Trustee. The Bill seeks to require the Auditor-General to complete their audit of the financial statements in relation to the common funds within 6 months after the end of the financial year. To facilitate implementation of this requirement and further enhance the purpose of the Bill to improve the clarity and transparency of the audit requirements under the *Public Trustee Act 1979*, the Committee has recommended that the Bill be amended to require the Public Trustee to provide the Auditor-General the financial statements in relation to the common funds for audit within four months after the end of the financial year.

On behalf of the Committee, I would like to thank all those that made submissions to the Inquiry. The Committee also thanks the Attorney-General's Department who briefed the Committee on the Bill and provided responses to written questions. I also thank my fellow Committee members for their bipartisan commitment to legislative scrutiny.



Mrs Oly Carlson MLA

Chair

Committee Members

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

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Acknowledgments

The Committee acknowledges all those that provided written submissions to its inquiry, and the Attorney-General's Department for briefing the Committee and providing responses to written questions.

Acronyms and Abbreviations

AHRPA	Australian Health Practitioner Regulation Agency
AMA NT	Australian Medical Association Northern Territory
Bill	Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026
CDR	Child Death Register
CDRPC	Child Death Review and Prevention Committee
CRC	Convention on the Rights of the Child
CYDRP	Child and Youth Development Research Partnership
Committee	Legislative Scrutiny Committee
DCF	Department of Children and Families
Department	Attorney-General's Department
ESB	Electrical Safety Board
GST	Goods and Services Tax
HCSCC	Health and Community Services Complaints Commission
HCSCRC	Health and Community Services Complaints Review Committee
NT AGO	Northern Territory Auditor General's Office

Terms of Reference

Sessional Order 14

Establishment of Legislative Scrutiny Committee

- (1) The Assembly appoints a Legislative Scrutiny Committee
- (2) The membership of the scrutiny committee will comprise three Government Members, one Opposition Member and one crossbench Member.
- (3) The functions of the scrutiny committee shall be to inquire into and report on:
 - (a) any bill referred to it by the Assembly;
 - (b) in relation to any bill referred by the Assembly:
 - (i) whether the Assembly should pass the bill;
 - (ii) whether the Assembly should amend the bill;
 - (iii) whether the bill has sufficient regard to the rights and liberties of individuals, including whether the bill:
 - (A) makes rights and liberties, or obligations, dependent on administrative power only if the power is sufficiently defined and subject to appropriate review; and
 - (B) is consistent with principles of natural justice; and
 - (C) allows the delegation of administrative power only in appropriate cases and to appropriate persons; and
 - (D) does not reverse the onus of proof in criminal proceedings without adequate justification; and
 - (E) confers power to enter premises, and search for or seize documents or other property, only with a warrant issued by a judge or other judicial officer; and
 - (F) provides appropriate protection against self-incrimination; and
 - (G) does not adversely affect rights and liberties, or impose obligations, retrospectively; and
 - (H) does not confer immunity from proceeding or prosecution without adequate justification; and
 - (I) provides for the compulsory acquisition of property only with fair compensation; and
 - (J) has sufficient regard to Aboriginal and Torres Strait Islander tradition; and
 - (K) is unambiguous and drafted in a sufficiently clear and precise way.

- (iv) whether the bill has sufficient regard to the institution of Parliament, including whether a bill:
 - (A) allows the delegation of legislative power only in appropriate cases and to appropriate persons; and
 - (B) sufficiently subjects the exercise of a delegated legislative power to the scrutiny of the Legislative Assembly; and
 - (C) authorises the amendment of an Act only by another Act.
- (4) The committee will provide an annual report of its activities to the Assembly.

Adopted 15 October 2024

Recommendations

Recommendation 1

The Committee recommends that the Legislative Assembly pass the Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026 with the proposed amendment set out in Recommendation 2.

Recommendation 2

The Committee recommends that clause 22 of the Bill be amended to require the Public Trustee to provide the Auditor-General the financial statements in relation to the common funds within 4 months after the end of the financial year.

1 Introduction

Introduction of the Bill

- 1.1 The Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026 (the Bill) was introduced into the Legislative Assembly by the Attorney-General, Hon Marie-Clare Boothby MLA, on 13 May 2026. The Assembly subsequently referred the Bill to the Legislative Scrutiny Committee (the Committee) for inquiry and report by 8 July 2026.¹

Conduct of the Inquiry

- 1.2 On 14 May 2026, the Committee called for submissions by 22 May 2026. The call for submissions was advertised via the Legislative Assembly website, Facebook, and email subscription service. In addition, the Committee directly contacted a number of individuals and organisations.
- 1.3 The Committee received 5 submissions (see Appendix 1). As set out in Appendix 2, on 27 May 2026 the Committee held a public briefing with representatives from the Attorney-General's Department (the Department). On 9 June 2026, the Committee requested the Department to provide additional information in writing by 16 June 2026. The Committee thanks the Department for their assistance.

Outcome of Committee's Consideration

- 1.4 Sessional Order 14 requires that the Committee after examining the Bill determine:
- whether the Assembly should pass the bill;
 - (ii) whether the Assembly should amend the bill;
 - (iii) whether the bill has sufficient regard to the rights and liberties of individuals; and
 - (iv) whether the bill has sufficient regard to the institution of Parliament.
- 1.5 Following examination of the Bill, and consideration of the evidence received, the majority view of the Committee is that the Legislative Assembly should pass the Bill with the proposed amendment set out in Recommendation 2.

Recommendation 1

The Committee recommends that the Legislative Assembly pass the Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026 with the proposed amendment set out in Recommendation 2.

¹ Hon. Marie-Clare Boothby, Attorney-General, *Draft Daily Hansard – Day 5 – 13 May 2026*, <https://territorystories.nt.gov.au/10070/1030209>, pp. 71-2

Report Structure

- 1.6 Chapter 2 provides an overview of the policy objectives of the Bill and the purpose of the Bill.
- 1.7 Chapter 3 considers the main issues raised in evidence received.

2 Overview of the Bill

Background to the Bill

- 2.1 Following the August 2024 Northern Territory general election, the incoming government conducted an administrative internal review of boards and committees across all ministerial portfolios.²

Purpose of the Bill

- 2.2 As noted in the Explanatory Statement, the purpose of the Bill is to:
- streamline the operations, functions and processes of boards and committees across the Attorney-General's portfolio. It will also deliver amendments to improve processes and clarity for the Public Trustee.³
- 2.3 As further noted by the Minister in her first reading speech, the purpose of the Bill is to:
- improve overall efficiency and flexibility of government processes to align with broad government objectives, improved service responsiveness and public sector modernisation. One of the ways the Bill does this is by amending various legislation to abolish now redundant committees and merge their key functions within existing functions. This will ensure greater alignment and efficiency across various departments while maintaining transparency and accountability.⁴
- 2.4 Finally, in a public briefing, the Department advised that 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.⁵

² Attorney-General's Department, *Response to Written Questions – Attorney-General's Department*, 18 June 2026, p. 3

³ Explanatory Statement, *Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026 (Serial 65)*, <https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/65-2026>, p. 1

⁴ Hon. Marie-Claire Boothby, Attorney-General, *Draft Daily Hansard – Day 5 – 13 May 2026*, <https://territorystories.nt.gov.au/10070/1030209>, p. 71

⁵ Attorney-General's Department, *Committee Transcript*, 27 May 2026, pp. 2-3.

3 Examination of the Bill

Introduction

- 3.1 The Committee received 5 submissions to its Inquiry. Three submissions from the Office of the Coroner, Office of the Children's Commissioner, and the Australian Medical Association Northern Territory (AMA NT) opposed Part 2 of the Bill which abolishes the Child Death Review and Prevention Committee (CDRPC). The AMA NT also opposed the abolition of the Health and Community Services Complaints Review Committee (HCSCRC) in Part 4 of the Bill. The Northern Territory Auditor-General's Office (NT AGO) proposed amendments to Part 6 of the Bill, amending the *Public Trustee Act 1979*.

Child Death Review and Prevention Committee

- 3.2 Part 2 of the Bill seeks to abolish the Child Death Review and Prevention Committee (CDRPC), to enable functions of the CDRPC to be undertaken by other existing agencies and Offices. As explained by the Minister in her first reading speech:

Part 2 of the Bill amends the *Care and Protection of Children Act 2007* to abolish the Child Deaths Review and Prevention Committee. There is currently an overlap of these functions with the NT Coroner's Office and this amendment will resolve this duplication and allow functions to be undertaken at the departmental level, enhancing governmental coordination and efficiency.⁶

- 3.3 This is implemented through several amendments to the *Care and Protection of Children Act 2007* (NT):
- Clause 6 seeks to repeal Chapter 3, Part 3.3 that provides for the CDRPC, which has functions including the maintenance of the Child Death Register (CDR), conducting and sponsoring research into child deaths and other related matters, raising public awareness regarding the prevention of child deaths or related matters, and contributing to national databases on child deaths in Australia.⁷
 - Consequently, clause 4 seeks to amend section 5 to omit in the overview of the Act reference to the Act providing for the prevention of child deaths. Further, clause 5 seeks to amend section 13 to omit several definitions related to the CDRPC.⁸

Abolition of the Child Death Review and Prevention Committee

- 3.4 Three submitters opposed the abolition of the CDRPC.⁹ Amongst other reasons discussed below, these submitters highlighted the severe child mortality rates in the Northern Territory and noted the consequential significance of the abolition of the

⁶ Hon. Marie-Clare Boothby, Attorney-General, *Draft Daily Hansard – Day 5 – 13 May 2026*, p. 71, <https://territorystories.nt.gov.au/10070/1030209>.

⁷ Explanatory Statement, *Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026 (Serial 65)*, <https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/65-2026>, p. 2

⁸ Explanatory Statement, *Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026 (Serial 65)*, <https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/65-2026>, p. 2

⁹ Office of the Coroner, Submission No. 2, p. 1; Office of the Children's Commissioner, Submission No. 3, pp. 2-3; Australian Medical Association Northern Territory, Submission No. 5, p. 4

CDRPC.¹⁰ Submitters further emphasised the disproportionate mortality rates of Aboriginal children in the Northern Territory.¹¹ For example, the Office of the Children's Commissioner told the Committee that:

the NT child mortality rate far exceeds all other jurisdictions, with mortality rates in 2023 reaching 63.8 per 100,000 children aged 0–17 years, compared with 23.2 in New South Wales.¹

In addition, the Indigenous child mortality rate was disproportionately high at 114.5 per 100,000 children aged 10–17 years, in contrast to 29.4 per 100,000 for non-Indigenous children. The NT also experiences disproportionately high child mortality arising from disease, morbid conditions and external causes. The rates from diseases and morbid conditions per 100,000 ranged between 15.1 (Western Australia) and 41.5 (Northern Territory).¹²

- 3.5 Accordingly, the Offices of the Coroner and the Children's Commissioner argued that, as the dedicated oversight mechanism of child deaths, the CDRPC was necessary and should be better resourced rather than abolished.¹³ For example, the Office of the Coroner stated that:

Given the overrepresentation of the Northern Territory in the child death statistics, it must be understood that this overrepresentation likely comprises preventable, natural causes, deaths. It is these preventable deaths that benefit from the independent expert scrutiny provided by the CDRPC as it endeavours to identify patterns and causes, with the aim of identifying effective responses to prevent these deaths in the future. Indeed, given the appalling child death statistics in the Northern Territory, the vital work of the CDRPC should be promoted and enhanced with additional resourcing.¹⁴

- 3.6 Further, the Office of the Children's Commissioner advised that, if the CDRPC were to be abolished, the Northern Territory would be the only jurisdiction in Australia without an equivalent expert and multi-disciplinary child death review body.¹⁵

Legislative authority for transferred functions

- 3.7 A fourth submitter, Elizabeth Creed, expressed concerns about how functions were being transferred from the CDRPC to other agencies and Offices.¹⁶ In particular, Elizabeth Creed highlighted that the transfer of functions was occurring by amendment to the *Care and Protection of Children Act 2007* to remove the functions from the CDRPC, but without statutory amendment to relevant legislation to provide for those functions to be continued by recipient agencies and Offices:

Which clause in this Bill covers the transfer of the statutory functions currently undertaken by the CDRPC to the relevant Government agencies?

¹⁰ Office of the Coroner, Submission No. 2, p. 1; Office of the Children's Commissioner, Submission No. 3, pp. 2–3; Australian Medical Association Northern Territory, Submission No. 5, p. 4.

¹¹ Office of the Coroner, Submission No. 2, p. 1; Office of the Children's Commissioner, Submission No. 3, pp. 2–3; Australian Medical Association Northern Territory, Submission No. 5, p. 4.

¹² Office of the Children's Commissioner, Submission No. 3, p. 2.

¹³ Office of the Coroner, Submission No. 2, p. 3; Office of the Children's Commissioner, Submission No. 3, p. 5.

¹⁴ Office of the Coroner, Submission No. 2, p. 3.

¹⁵ Office of the Children's Commissioner, Submission No. 3, p. 3.

¹⁶ Elizabeth Creed, Submission No. 4, p. 1.

If the Bill does not achieve this, what further legislative change is necessary before the functions of the CDRPC are absorbed into various government agencies, and lose their statutory basis?¹⁷

- 3.8 Similarly, the Office of the Children's Commissioner questioned the mechanism that would allocate the different functions of the CDRPC to existing agencies and Offices:

I am additionally concerned regarding the paucity of transitional arrangements. The Bill has not clearly addressed how the functions, responsibilities, research projects, data holdings, monitoring functions, reporting obligations or operation of the Child Death Register will be transferred and maintained following abolition of the Committee. This creates uncertainty regarding continuity, accountability and independent oversight.¹⁸

- 3.9 More broadly, the AMA NT were concerned that 'gaps' would be left in the system in the absence of the CDRPC.¹⁹
- 3.10 The Explanatory Statement notes that the government intends for the functions of the CDRPC to continue by allocating them to existing agencies.²⁰ However, it was unclear to the Committee exactly which functions were proposed to be allocated to which agencies, and how it was intended to transfer them. On these grounds, the Committee sought greater clarity from the Department regarding the specific allocation of the functions of the CDRPC set out in the *Care and Protection of Children Act 2007* (NT) in section 210(a)-(h).
- 3.11 The Department advised the Committee that it was the intention of the Department to allocate *all* functions of the CDRPC. They informed the Committee that work was still underway to confirm where functions would be allocated, but provided their proposed distribution to the Committee:

Transfer of functions is being finalised and consultation continues, however the Department is proposing to seek agreement from relevant Departments and Offices to the allocation as follows:

Statutory Function	Proposed Lead	Ongoing Delivery
[(a)] Establish and maintain the Child Deaths Register (the CDR).	Office of the Coroner.	The CDR will be maintained through existing coronial systems, supported by current Secretariat resources
[(b)] Conduct or sponsor research into child deaths, diseases and accidents involving children.	[Child and Youth Development Research Partnership (CYDRP)].	Research and analysis will continue through CYDRP, within the existing scope of its Terms of Reference.
[(c) and (d)] Raise public awareness and make recommendations about the death rates of children; the causes and nature of child deaths and of diseases and	Office of the Children's Commissioner.	Will continue through the Children's Commissioner's independent statutory role, including public reporting on trends and risks.

¹⁷ Elizabeth Creed, Submission No. 4, p. 5

¹⁸ Office of the Children's Commissioner, Submission No. 3, p. 5

¹⁹ Australian Medical Association Northern Territory, Submission No. 5, pp. 7-8

²⁰ Explanatory Statement, *Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026* (Serial 65), <https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/65-2026>, p. 2

accidents involving children;
and the prevention or
reduction of such deaths,
diseases and accidents.

[(e)] Monitor implementation of recommendations.	If required, the Department of Children and Families (DCF) or Coroner's Office.	No standing function required. Where necessary, monitoring will be undertaken by DCF or the Coroner's Office in relation to their statutory and service responsibilities.
[(f)] Contribute to any national database on child deaths in Australia.	Office of the Coroner.	Will continue through existing coronial data systems, ensuring provision of data to national organisations.
[(g)] Share information with anyone in Australia who has a similar function to the CDRPC.	Office of the Coroner.	Will continue under established coronial information-sharing arrangements.
[(h)] Perform other relevant functions as the Minister directs.	To be allocated as required.	Will be assigned to the most appropriate agency on a case-by-case basis. ²¹

- 3.12 Further, the Committee asked the Department why legislative amendment was not proposed to relevant Acts to provide that transferred functions are statutory functions of the recipient agency or Office. The Department advised that the functions can be incorporated into activities of the recipient agencies and Offices within their existing mandates:

Legislative amendment was not considered necessary because the functions being transferred can already be performed under the existing mandates of the Coroner, the Children's Commissioner and CYDRP.

Using existing legislation avoids creating new or overlapping statutory powers and allows the transferred functions to be incorporated into established governance and operational arrangements.²²

Preference for a standalone body

- 3.13 As discussed below, submitters put forward several reasons as to why the functions of the CDRPC were better suited to an independent statutory authority rather than being carried out by other existing Northern Territory government agencies and Offices. These included the benefits of the CDRPC being independent of government, the benefits of multi-disciplinary expertise, the complementary nature of the work of the Coroner and the CDRPC, and concerns regarding the capacity of the Office of the Coroner to take on additional functions.

²¹ Attorney-General's Department, *Response to Written Questions – Attorney-General's Department*, 18 June 2026, pp. 7-8

²² Attorney-General's Department, *Response to Written Questions – Attorney-General's Department*, 18 June 2026, p. 9

Independence from government

- 3.14 Firstly, the Office of the Coroner argued that the independence of the CDRPC facilitates critical insight into drivers of child death where government systems may be at fault:

Legislative independence allows the CDRPC to critically examine systemic failures (including in Government departments and agencies), identify gaps in services or policy, and make recommendations that may be controversial or uncomfortable for government departments to address internally... The CDRPC's independence promotes public confidence that child deaths will be reviewed objectively and with transparency, and with the sole focus on prevention, detached from government or agencies policies, priorities or sentiment.²³

Benefits of a multi-disciplinary committee

- 3.15 Submitters also advised the Committee that the multi-disciplinary nature of the CDRPC was an important compositional feature of the CDRPC which enabled it to be a more effective preventative tool to reduce child deaths. For example, the AMA NT told the Committee that:

The epidemiology of these deaths is complex and deeply rooted in the social determinants of health. The underlying causes of child deaths in the NT highlight persistent disparities in perinatal conditions, congenital malformations, external causes, and severe infections... The rates of intentional self-harm and suicide among Aboriginal youth in the NT have historically been recorded at levels exponentially higher than the national average... By dismantling the CDRPC, the government removes the only independent, multidisciplinary body specifically tasked with translating these tragic statistics into preventative public health policies.²⁴

- 3.16 Similarly, the Office of the Coroner told the Committee that the CDRPC broke silos down between different actors working in the sector, enabling stronger work to prevent child deaths to be undertaken. They advised this could not be provided within and across agencies:

The cross sectional makeup of the CDRPC ensures that it provides a collective expert response to child deaths and does not represent a single perspective, cause or interest. The diverse membership ensures the CDRPC is informed by legal, policy, policing, child protection, and health experts. This provides an opportunity for all relevant Government departments in conjunction with independent, not-for-profit, and private sector agencies responsible for child health and wellbeing, to work together to review each child death and to ensure all facets of expertise actively contribute to formulating death prevention strategies and recommendations.

The benefits of this independent, expert, and collaborative approach would be lost if the functions are devolved and dispersed to Government agencies as is proposed. This collective expert response cannot be replicated by a single department or agency alone, and to absorb the CDRPC's function into a singular, pre-existing entity for the purpose of governmental coordination and efficiency would be to the detriment of Territorian children.²⁵

²³ Office of the Coroner, Submission No. 2, p. 2

²⁴ Australian Medical Association Northern Territory, Submission No. 5, p. 4

²⁵ Office of the Coroner, Submission No. 2, p. 2

- 3.17 The Office of the Children's Commissioner also highlighted the importance of multi-disciplinary expertise in the consideration of child deaths:

Importantly, the Committee's effectiveness derives from its multidisciplinary composition and ability to draw upon expertise from multiple sectors, disciplines and specialist fields. Committee members contribute insights regarding national and international best practice, emerging evidence-based interventions, research findings, policy reform and systemic risk factors affecting children. As a member of the Committee, I am concerned that these specialist collaborative functions cannot simply be absorbed administratively without substantial loss of independence, expertise and the Committee's unique preventative role in identifying systemic risks, emerging trends, and opportunities to prevent future child deaths.²⁶

- 3.18 Noting these concerns from stakeholders, the Committee asked the Department how the multi-disciplinary benefits of the CDRPC would be retained when functions were allocated to different agencies and Offices. The Department told the Committee that the distribution of different functions to different agencies and Offices would ensure that expertise relevant to each function was retained:

The multidisciplinary expertise currently provided through CDRPC will be retained through the existing roles and capabilities of the agencies taking on its functions. The Office of the Coroner will continue to access coronial, forensic pathology and policing expertise through its established investigative processes. The Office of the Children's Commissioner already holds expertise in systemic oversight and child-protection matters and will incorporate the prevention-focused functions into its existing mandate. The analytical and research expertise previously provided through CDRPC will be maintained through CDYRP [sic].²⁷

- 3.19 The Committee sought further information on the allocation of the research function to the CDYRP. The Department advised the Committee that it is not intended for the CDYRP to directly replace the research undertaken by the CDRPC, but that the CDYRP does have the capacity to perform the research and analysis formerly conducted by the CDRPC:

CYDRP is not a direct replacement for CDRPC's research function. CYDRP has the data, capability and governance needed to carry out the research and analysis previously undertaken by CDRPC, and it already examines issues such as risk factors, service pathways and system interactions. It does not assume the CDRPC's statutory role.²⁸

- 3.20 The Department further specified that the CYDRP Steering Committee, which includes representation from government departments, sets research priorities of the CYDRP:

CYDRP is a whole-of-government arrangement involving ten NT Government agencies together with the Menzies School of Health Research. CYDRP is funded to deliver research that informs policy and program development, evaluate child and youth programs, translate findings into practice, and maintain a comprehensive linked data repository. Its Steering Committee includes senior representatives from each participating agency and provides coordinated governance, sets research priorities, approves projects, oversees outputs and

²⁶ Office of the Children's Commissioner, Submission No. 3, p. 4

²⁷ Attorney-General's Department, *Response to Written Questions – Attorney-General's Department*, 18 June 2026, p. 11

²⁸ Attorney-General's Department, *Response to Written Questions – Attorney-General's Department*, 18 June 2026, p. 9

ensures alignment with Government objectives. These activities correspond directly to the research and evidence functions attributed to CDRPC.²⁹

- 3.21 The Committee notes that the alignment of the CYDRP's research with the existing functions of the CDRPC is derived from the 2025-2029 Funding Agreement between the Northern Territory Government and the Menzies School of Health Research:

The research function in section 210(b) of the Care and Protection of Children Act 2007 overlaps with the work of the Child and Youth Development Research Partnership (CYDRP), which was established under the \$400 000 a year 2025–2029 Funding Agreement between the Northern Territory Government (NT Government) and the Menzies School of Health Research. Under this Agreement, CYDRP is mandated to undertake policy-relevant research, program evaluation and evidence translation to support improved outcomes for children and young people.³⁰

Accordingly, the CYDRP's continued research focus on child death reviews and prevention will require a sustained commitment to incorporating this research agenda into future funding agreements.

Complementary work between the Coroner and the CDRPC

- 3.22 Submitters noted that the Coroner and the CDRPC have complementary influences on one another. In particular, submitters advised that the Coroner uses the research of the CDRPC to inform their inquests. For example, several submitters highlighted the Coroner's reference of research conducted by the CDRPC in their *Inquest into the deaths of Baby K, Baby B and Baby S* [2026] NTCC 06.³¹ This means that the abolition of the CDRPC will have a negative influence on the work of the Coroner.

Allocation of functions to the Office of the Coroner

- 3.23 Finally, submitters raised several concerns with the Committee regarding the shifting of responsibility for the functions of the CDRPC to the Office of the Coroner. The Committee notes that some of these concerns were raised prior to the Committee's clarification with the Department regarding the precise functions that would be allocated from the CDRPC to the Coroner.

- 3.24 Submitters questioned how child deaths would be reviewed following the abolition of the CDRPC, pointing to the absence of child death reviews in the Northern Territory following the CDRPC's loss of quorum after October 2024. For example, the Office of the Coroner told the Committee that:

Even though it has been asserted that death review, prevention and analysis can be more effectively reviewed within Government departments, with responsibility for transitional arrangements and continuity of critical functions resting with the AGD,⁵ it is understood that none of these 151 child deaths have had the benefit of a child death review.³²

- 3.25 Because of this uncertainty, submitters were concerned that the Office of the Coroner would be required to review all child deaths. The Offices of the Coroner and the

²⁹ Attorney-General's Department, *Response to Written Questions – Attorney-General's Department*, 18 June 2026, p. 6

³⁰ Attorney-General's Department, *Response to Written Questions – Attorney-General's Department*, 18 June 2026, p. 5

³¹ Office of the Coroner, Submission No. 2, p. 3; Office of the Children's Commissioner, Submission No. 3, p. 4; Australian Medical Association Northern Territory, Submission No. 5, p. 6

³² Office of the Coroner, Submission No. 2, p. 3

Children's Commissioner highlighted the current gap between reportable deaths that are reviewable by the Coroner and the child death review function of the CDRPC.³³ Although there have been 151 child deaths in the Northern Territory since October 2024, only 30 have been reported to the Office of the Coroner.³⁴

- 3.26 Accordingly, the Office of the Coroner highlighted resource constraints and capacity issues associated with any requirements to review additional deaths. They advised that any requirements for their Office to review *all* child deaths in place of the CDRPC would require substantial additional resourcing:

The Coroner's Office currently receives and considers between 350-400 reportable deaths each year. The Coroner's Office is comprised of the Territory Coroner, the Deputy Coroner, a Legal Officer, a Grief Counsellor and three Coroners Clerks with investigations undertaken by Coroner's Constables and allocated police investigators. If the Coroner's Office were to take on the additional workload of registered child deaths that are not otherwise reportable to the Coroner (presently 111 child deaths from October 2024 – April 2026) that would equate to a roughly 25-30 percent increase in deaths to be investigated and considered by the Coroner's Office. Significant additional resourcing would be required to manage such an increase in volume. The Coroner's Office would likely be undertaking these investigations without the support of police investigators and so would require additional staff to undertake the investigative component of any review. The Coroner's Office would also require resources to access paediatric related expertise, in areas including oncology, cardiology, neurology, maternal-foetal medicine and neonatology. Without sufficient additional resources the Coroner's Office would not be able to complete child death reviews within relevant and meaningful time frames or at all.³⁵

- 3.27 Submitters also pointed to the difference in approaches between coronial and public health reviews and approaches. For example, the AMA NT advised that the Coroner's reviews are 'predominantly investigative and medico-legal', but that the CDRPC's reviews of child deaths are much broader in nature:

the Public Health CDR model evaluates all child deaths in the jurisdiction, regardless of whether they cross the threshold for coronial investigation.⁹ The public health model evaluates systemic risk factors, social determinants, primary healthcare access, and the efficacy of longitudinal family interventions across multiple government agencies.⁴ The CDRPC seeks to answer not just the mechanical question of how a child died, but the systemic question of why the death occurred and what failures permitted the vulnerability to persist.³⁶

- 3.28 However, information provided to the Committee by the Department specifies that the Coroner will not be required to review deaths that are not reportable.³⁷ Instead, the Committee understands that the CYDRP are proposed to be responsible for research functions, including conducting research and trend analysis regarding non-reportable child deaths.³⁸

- 3.29 The Committee notes that the Office of the Coroner has provided secretariat support services to the CDRPC since 2017. The Office of the Coroner has been provided

³³ Office of the Coroner, Submission No. 2, p. 2; Office of the Children's Commissioner, Submission No. 3, p. 3

³⁴ Office of the Coroner, Submission No. 2, p. 3

³⁵ Office of the Coroner, Submission No. 2, p. 4

³⁶ Australian Medical Association Northern Territory, Submission No. 5, p. 5.

³⁷ Attorney-General's Department, *Response to Written Questions – Attorney-General's Department*, 18 June 2026, p. 8

³⁸ Attorney-General's Department, *Response to Written Questions – Attorney-General's Department*, 18 June 2026, p. 12

additional resourcing to enable this support. The Department advised that the Office of the Coroner will retain this resourcing following the abolition of the CDRPC. This will enable the Office of the Coroner to continue to maintain the CDR and contribute to national data reporting:

The existing Secretariat resource that currently supports the [CDRPC]'s data and reporting functions remains in the Coroner's Office, supporting continuity of these functions as well as other work of the Office...

The Office of the Coroner began maintaining the CDR when the Secretariat support for CDRPC was placed within the Coroner's Office. This arrangement has been in place since 2017 and reflects the fact that coronial information is the primary data source for the Register, working with Births Deaths and Marriages Registry...

The Secretariat resource that has historically supported CDRPC, maintained the CDR and prepared national data submissions will remain located within, and operationally supported by, the Office of the Coroner.³⁹

3.30 Other reporting mechanisms will also be maintained:

The Coroner is responsible for reporting on all reportable deaths under the Coroners Act 1993, including child deaths, and provides data to national child-death reporting through the Australian and New Zealand Child Death Review and Prevention Group.

The Australian Institute of Health and Welfare publishes national child-death statistics, including NT data supplied through coronial and agency sources. In addition, specialist organisations such as Red Nose (for sudden and unexpected infant deaths) and national stillbirth and disease-specific research organisations report on particular categories of child deaths. These reporting pathways will continue irrespective of the repeal of Part 3.3.⁴⁰

Commencement

3.31 Noting the ongoing discussions regarding function allocation, the Committee asked the Department for a timeline by which confirmation of function allocation will be complete. The Department advised that it aims to have completed allocation prior to the commencement of the legislation:

Work to determine the final allocation of CDRPC's functions is progressing. It is intended these arrangements will be resolved before CDRPC ceases upon commencement of the legislation, which is currently before the Legislative Assembly. The Department will continue working with the relevant agencies to confirm the final allocation of functions, with the intention that critical functions are supported during and after the transition.⁴¹

3.32 The Committee also asked the Department whether amending the commencement date of Part 2 of the Bill would create any risks or benefits. The Department advised the Committee that the key risk would be:

Delaying commencement would prolong the operation of provisions that no longer reflect Government policy and would create uncertainty about the status of CDRPC, which has not met since October 2024.⁴²

³⁹ Attorney-General's Department, *Response to Written Questions – Attorney-General's Department*, 18 June 2026, pp. 9-11

⁴⁰ Attorney-General's Department, *Response to Written Questions – Attorney-General's Department*, 18 June 2026, p. 13

⁴¹ Attorney-General's Department, *Response to Written Questions – Attorney-General's Department*, 18 June 2026, p. 14

⁴² Attorney-General's Department, *Response to Written Questions – Attorney-General's Department*, 18 June 2026, p. 15

- 3.33 Despite the ongoing discussions regarding the allocation of functions, in the public briefing the Department advised that commencement will not have any effect on the CDRPC as it has been unable to meet as its membership is less than its quorum. Accordingly, the CDRPC is not undertaking any activities:

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.⁴³

Additional concerns

- 3.34 Additional concerns with the abolition of the CDRPC were raised by the Office of the Children's Commissioner and Elizabeth Creed. Firstly, the Office of the Children's Commissioner questioned the impact of the Bill on obligations under the United Nations *Convention on the Rights of the Child*:

The main human rights treaty specific to children that set these and others out, is the Convention on the Rights of the Child (CRC), which Australia ratified in December 1990. Under the Convention, Australian Governments are required to undertake 'all appropriate legislative, administrative and other measures for the implementation of child rights'.

Children's rights to life and safety are fundamental human rights—ensuring every child has the opportunity to survive, grow, and be protected from harm. Under international law and domestic frameworks, governments bear the primary duty to uphold, protect, and fulfill these rights by regulating systems, providing services, and intervening when necessary. Abolishing the Committee without establishing a clear, legislated alternative mechanism weakens the NT's ability to uphold these obligations and safeguard Territory children.⁴⁴

- 3.35 The Committee asked the Department about obligations under the *Convention on the Rights of the Child* and was advised that:

The decision to abolish CDRPC concerned the governance arrangements for child death review and prevention functions, rather than considering the continuation of those functions themselves. The Convention does not prescribe a particular institutional model for delivering those functions.⁴⁵

- 3.36 The Office of the Children's Commissioner also expressed concerns regarding the status of the CDR and whether it would be abolished alongside the CDRPC. The Committee sought clarification on this matter from the Department, who advised that the CDR would not be disestablished by the Bill:

It is not intended that the CDR be disestablished... The CDR will continue as an administrative register maintained by the Office of the Coroner. It is not established under a specific legislative provision.⁴⁶

- 3.37 Finally, Elizabeth Creed highlighted the CDRPC's membership to the Australian and New Zealand Child Death Review and Prevention Group and questioned where responsibility for participation in this group would lapse following the division of

⁴³ Attorney-General's Department, Committee Transcript, 27 May 2026, p. 5

⁴⁴ Office of the Children's Commissioner, Submission No. 3, p. 5

⁴⁵ Attorney-General's Department, *Response to Written Questions – Attorney-General's Department*, 18 June 2026, p. 2

⁴⁶ Attorney-General's Department, *Response to Written Questions – Attorney-General's Department*, 18 June 2026, p. 13

CDRPC functions.⁴⁷ The Department advised that the Office of the Coroner would represent the Northern Territory on this group in the future:

Participation in the Australian and New Zealand Child Death Review and Prevention Group will continue through the Office of the Coroner. The Coroner's Office is the appropriate representative because the Office already maintains the Child Death Register, provides NT data for national reporting, and holds the coronial and forensic expertise that underpins the Group's work.⁴⁸

Committee's Comments

- 3.38 Although recognising the strong concerns from stakeholders on the abolition of the CDRPC, the majority of the Committee is satisfied with the Department's advice and responses to the Committee's questions. It is clear to the majority of the Committee that the important functions of the CDRPC, when allocated amongst different agencies and Offices, will continue with the requisite expertise and resourcing to do them justice. Accordingly, the majority of the Committee is satisfied that the abolition of the CDRPC is appropriate and can be done without undermining child safety.
- 3.39 Noting that decisions regarding the allocation of functions to different agencies and offices were ongoing in parallel to the Bill's referral to the Committee, the Committee considered recommending that the commencement date of Part 2 of the Bill be amended to come into operation on a date to be fixed by the Administrator by notice in the Gazette, rather than the day after the day on which the Administrator's assent to this Act is declared. This would enable discretion over the commencement to ensure that the CDRPC would not be disestablished prior to the confirmation of function allocation to different agencies and Offices.
- 3.40 However, noting that the CDRPC is already non-operational due to a lack of quorum, the Committee is satisfied that the current commencement provisions are sufficient.

Electrical Safety Board

- 3.41 Part 3 of the Bill seeks to abolish the Discipline Committee of the Electrical Safety Board (ESB). As explained by the Minister in her first reading speech:

Part 3 of the Bill abolished the Discipline Committee under the Electrical Safety Act 2022 and merges its functions with the Electrical Safety Board while making corresponding amendments to the Electrical Safety Act 2022 to facilitate this. Merging the roles of these two committees will allow the board more flexibility in responding to discipline matters and increase efficiencies without detracting from the functions performed by the committee.

Schedule 1 contains a number of minor and consequential amendments throughout the Electrical Safety Act 2022 to accommodate the abolition of the Discipline Committee.⁴⁹

- 3.42 This is implemented through several amendments to the *Electrical Safety Act 2022* (NT):

⁴⁷ Elizabeth Creed, Submission No. 4, p. 5

⁴⁸ Attorney-General's Department, *Response to Written Questions – Attorney-General's Department, 18 June 2026*, p. 11

⁴⁹ Hon. Marie-Claire Boothby, Attorney-General, Draft Daily Hansard – Day 5 – 13 May 2026, <https://territorystories.nt.gov.au/10070/1030209>, p. 71

- Clause 8 seeks to amend section 104 to alter the composition of the membership of the ESB by omitting the requirement that the chairperson of the Discipline Committee be a member of the ESB and instead provide for the Minister to appoint a legal practitioner who has practiced for at least 3 years in the Northern Territory to the ESB. The Act currently requires the chairperson of the Discipline Committee to be a legal practitioner who has practiced for at least 5 years in the Northern Territory.⁵⁰
- Clause 11 seeks to repeal and replace Part 5, Division 3. This section currently provides for committees of the ESB, including establishing the Discipline Committee. Proposed Part 5, Division 3 instead seeks to provide specific arrangements for the ESB to take disciplinary actions, including requiring that the legal member provided by proposed amendments to section 104 must preside, that quorum in relation to disciplinary action is 3 members, and that the legal member and one of the members of the ESB representing electrical workers or representing employers of electrical workers must be present for matters in relation to disciplinary action.⁵¹
- Consequently, clause 12 seeks to provide that schedule 1 has effect, omitting reference to the Discipline Committee or other committees of the ESB from the *Electrical Safety Act 2022* (NT). In addition, clause 9 seeks to amend section 107 to reflect the proposal in new Part 5, Division 3 to enable the legal member to call meetings related to disciplinary action. Further, clause 9 seeks to amend section 108 to reflect the proposal in new Part 5, Division 3 to enable the legal member to chair meetings related to disciplinary action, to have a quorum of 3 when meeting in relation to disciplinary action, and requirements for resolutions in relation to disciplinary action.⁵²

3.43 No submitters commented on the provisions in this part of the Bill.

Committee's Comments

3.44 The Committee is satisfied that the amendments appropriately implement the intent of the Government.

Health and Community Services Complaints Review Committee

3.45 Part 4 of the Bill seeks to abolish the Health and Community Services Complaints Review Committee (HCSCRC), which can review processes of the Health and Community Services Complaints Commission (HCSCC). As explained by the Minister in her first reading speech:

Part 4 of the Act amends the *Health and Community Services Complaints Act 1998* to abolish the Health and Community Services Complaints Review Committee. This committee has a very narrow function of reviewing the process

⁵⁰ Explanatory Statement, *Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026* (Serial 65), <https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/65-2026>, p. 2

⁵¹ Explanatory Statement, *Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026* (Serial 65), <https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/65-2026>, p.3

⁵² Explanatory Statement, *Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026* (Serial 65), <https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/65-2026>, p.3

and procedures of the Health and Community Services Complaints Commission. However, it does not have the ability to review the decisions of the commission itself. Also given that it has not determined significant concern with the complaints process over time, its role is essentially obsolete.⁵³

3.46 This is implemented through several amendments to the *Health and Community Services Complaints Act 1998* (NT):

- Clause 15 seeks to repeal Part 9, which provides for the HCSCRC.⁵⁴
- Consequently, clause 14 seeks to amend section 4 to omit the definition of 'Committee' being the HCSCRC. Further, clause 16 seeks to amend section 97 to omit members of the HCSCRC from confidentiality requirements in their administration of the Act.⁵⁵

3.47 The AMA NT registered their opposition to the abolition of the HCSCRC, and outlined several reasons why they believed it continued to provide a necessary function. Firstly, the AMA NT submitted that the abolition of the HCSCRC represents a 'degradation of procedural fairness' in the Northern Territory, arguing for the retention of the HCSCRC to enable administrative justice:

Procedural fairness is a foundational tenet of administrative law and medical regulation.¹³ It guarantees that any individual or entity subject to a complaint (such as a medical practitioner, a clinic, or a hospital) has the opportunity to be heard by an unbiased decision-maker, and that the investigative process is transparent, timely, and free from prejudice. Conversely, it ensures that aggrieved patients and their families receive a thorough, impartial assessment of their grievances....

Removing [the HCSCRC] concentrates unchecked investigative and regulatory power in the hands of the [HCSCC], fundamentally undermining the principles of administrative justice that protect both the public and the profession.⁵⁶

3.48 In particular, the AMA NT highlighted that the HCSCRC provided a recourse avenue for practitioners who are aggrieved by the HCSCC:

If a medical practitioner in the NT believes they have been denied natural justice by the HCSCC the practitioner's current recourse is to request a review by the HCSCRC. Without this Committee, the practitioner has no accessible, cost-effective administrative review mechanism and may be forced into expensive and protracted Supreme Court litigation for judicial review. This imposes an unacceptable financial and emotional burden on the medical workforce in a jurisdiction already facing immense challenges in attracting and retaining highly specialised clinicians.⁵⁷

3.49 The Department advised that the capacity of the HCSCRC to provide procedural fairness is limited:

HCSCRC has the limited function to review processes and procedures for complaints considered by the HCSCC under the *Health and Community Services Complaints Commission Act 1998*. This function serves to assist the HCSCC to

⁵³ Hon. Marie-Clare Boothby, Attorney-General, *Draft Daily Hansard – Day 5 – 13 May 2026*, <https://territorystories.nt.gov.au/10070/1030209>, p. 71

⁵⁴ Explanatory Statement, *Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026 (Serial 65)*, <https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/65-2026>, p. 4

⁵⁵ Explanatory Statement, *Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026 (Serial 65)*, <https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/65-2026>, p. 4

⁵⁶ Australian Medical Association Northern Territory, Submission No. 5, p. 10

⁵⁷ Australian Medical Association Northern Territory, Submission No. 5, p. 8

improve its processes and procedures, it does not impact on the outcome of a complaint and does not guarantee procedural fairness for individual complaints.⁵⁸

- 3.50 The AMA NT also contested the rationale provided for the abolition of the HCSCRC that there are 'other complaints and review processes available, including through the Australian Health Practitioner Regulation Agency' (AHPRA).⁵⁹ The AMA NT submitted that AHPRA and the HCSCRC have different regulatory functions, advising that the AHPRA regulates individual registered health practitioners, whilst the HCSCC regulates service providers, facilities, and other systems and institutions:

a fundamental conflation of two distinct regulatory jurisdictions that serve different functions within the healthcare ecosystem... AHPRA, in conjunction with the National Boards... regulates individual registered health practitioners under the Health Practitioner Regulation National Law, focusing heavily on professional registration, serious misconduct, and fitness to practice...

When a patient raises a grievance regarding systemic failures at a hospital, a dispute over the release of medical records, or the conduct of a non-registered healthcare worker (such as an allied health assistant or alternative medicine provider), AHPRA has no statutory jurisdiction. These matters fall exclusively to the HCSCC.⁶⁰

- 3.51 Accordingly, AMA NT advised that the HCSCRC provides a safeguard against failures of process of the HCSCC:

If the HCSCC mismanages these complaints, acts with bias, or denies natural justice to a health facility or patient, AHPRA possesses neither the power nor the mandate to intervene in or review the Commission's administrative processes.

Therefore, abolishing the Review Committee removes the *only* statutory oversight mechanism designed to scrutinize the HCSCC's administrative procedures.⁶¹

- 3.52 The Committee asked the Department about review jurisdiction. They advised that the reference to AHPRA in the Explanatory Statement was intended to demonstrate the range of review options available rather than suggest AHPRA could review the HCSCC. They further advised that the HCSCRC cannot review *decisions* of the HCSCC, which will remain available only by judicial review:

AHPRA was referenced to note that there are a number of existing avenues for complaints and raising issues regarding the provision of health care in the NT. This includes AHPRA as well as HCSCC.

There is no body (other than judicial review by the Supreme Court) able to review decisions of HCSCC, noting HCSCRC is unable to review decisions of HCSCC as its scope is limited to reviewing whether processes and procedures had been followed for responding to a complaint. This could result in recommendations to the Commissioner in respect of the conduct of the complaint or the complaint process. HCSCRC recommendations are not enforceable.⁶²

- 3.53 Finally, the AMA NT advised that the HCSCRC has not been provided members since October 2024. Accordingly, they argued that the Explanatory Statement's

⁵⁸ Attorney-General's Department, *Response to Written Questions – Attorney-General's Department*, 18 June 2026, p. 18.

⁵⁹ Australian Medical Association Northern Territory, Submission No. 5, pp. 9-10; Explanatory Statement, *Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026 (Serial 65)*, <https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/65-2026>, p. 4

⁶⁰ Australian Medical Association Northern Territory, Submission No. 5, pp. 9-10

⁶¹ Australian Medical Association Northern Territory, Submission No. 5, pp. 9-10

⁶² Attorney-General's Department, *Response to Written Questions – Attorney-General's Department*, 18 June 2026, p. 17

comments that the HCSCRC has 'not found significant or ongoing procedural concerns' since it was formed in 1998 unsatisfactory, because issues have been unable to be considered in the past two years.⁶³ The AMA NT highlighted that a person has recently sought review of the HCSCC's treatment of them by the HCSCRC. AMA NT advised that this review was unsuccessful because the HCSCRC lacked quorum, preventing the complainant being heard.⁶⁴

- 3.54 The Committee asked the Department for a more detailed explanation of the decision to abolish the HCSCRC. They provided more information regarding the results of their review in relation to the HCSCRC:

The decision to abolish HCSCRC was informed by consideration of its existing activity, including through the Annual Reports of the Health and Community Services Complaints Commission (HCSCC) and an assessment that its functions were limited to reviewing the processes used by the HCSCC and it had not identified any significant or recurring procedural issues over many years. The review concluded that existing complaints and regulatory pathways already provide appropriate oversight, and HCSCRC's inactivity demonstrated that other regulatory arrangements were adequate and its role could be abolished without diminishing accountability or service quality.⁶⁵

- 3.55 The Committee asked the Department how patients and practitioners will be able to seek review if they believe the HCSCC 'has acted unfairly or processes were not followed' into the future. The Department advised that this will be a function of the Office of the Integrity and Ethics Commission, but could not provide further detail:

That is... 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.

The newly established commission does not sit within our remit... 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.⁶⁶

- 3.56 Further questioning highlighted that administrative responsibility for the HCSCC itself now sits with the Office of the Integrity and Ethics Commission:

In terms of health and community services complaints (outside the scope of HCSCRC), there is no transition period. The recent changes to the Administrative Arrangements Order transferred responsibility to OIEC.⁶⁷

Committee's Comments

- 3.57 Although the Committee acknowledges the AMA NT's concerns regarding the abolition of the HCSCRC, on the advice of the Department the Committee is satisfied that the abolition of the HCSCRC will not undermine accountability or service quality within the healthcare sector.

⁶³ Australian Medical Association Northern Territory, Submission No. 5, pp. 10-11; Explanatory Statement, *Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026 (Serial 65)*, <https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/65-2026>, p. 4

⁶⁴ Australian Medical Association Northern Territory, Submission No. 5, pp. 10-11

⁶⁵ Attorney-General's Department, *Response to Written Questions – Attorney-General's Department*, 18 June 2026, p. 16

⁶⁶ Attorney-General's Department, Committee Transcript, 27 May 2026, p. 10

⁶⁷ Attorney-General's Department, *Response to Written Questions – Attorney-General's Department*, 18 June 2026, p. 18

Liquor Commission

3.58 Part 5 of the Bill seeks to amend the procedures of meetings of the Liquor Commission to enable the chairperson to chair meetings of the Liquor Commission remotely from outside of the Northern Territory. As explained by the Minister in her first reading speech:

Following consultation with the Liquor Commission, a small amendment to the *Liquor Commission Act 2018* is proposed in Part 5 of the Bill. This amendment will allow for the Liquor Commission's chairperson to attend meetings virtually if they are outside the Northern Territory. This amendment is not aimed at providing for a chairperson to be normally residing outside the Territory, but is reflective of modern technological advances and practice and will improve the Liquor Commission's flexibility and function.⁶⁸

3.59 This is implemented through one amendment to the *Liquor Commission Act 2018* (NT):

- Clause 18 seeks to amend section 8 to omit the requirement for the Deputy Chairperson to act as chairperson if the chairperson is or is expected to be absent from the Territory.⁶⁹

3.60 The AMA NT submitted to the Committee their position that the chairperson of the Liquor Commission must have in-depth local knowledge of the Northern Territory. Accordingly, they advised that:

It is imperative... that the legislation requires the Chairperson to be normally resident in the NT. To effectively administer the Liquor Act 2019 and lead the Commission, the Chairperson must have an on-the-ground, lived understanding of these local realities. Allowing the statutory head of this critical regulatory body to routinely govern from interstate risks decoupling its leadership from the immediate clinical and community impacts of its licensing decisions.⁷⁰

3.61 The Committee notes that the Explanatory Statement specifies that this amendment is intended to allow the chairperson to chair meetings where they are travelling outside of the Northern Territory but is not intended to allow them to reside outside of the Northern Territory:

This amendment will allow the Chairperson to attend meetings virtually if they are outside of the NT, for example, if they are travelling outside the NT for work purposes and still want to be available for meetings. This amendment is not aimed at providing for the Chairperson to be normally resident outside the Territory but is reflective of modern technological change and will assist in streamlining the Commission's processes and improving operational flexibility.⁷¹

Committee's Comments

3.62 The Committee is satisfied that the amendments will not allow the chairperson to reside outside of the Northern Territory.

⁶⁸ Hon. Marie-Clare Boothby, Attorney-General, *Draft Daily Hansard – Day 5 – 13 May 2026*, <https://territorystories.nt.gov.au/10070/1030209>, p. 71

⁶⁹ Explanatory Statement, *Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026 (Serial 65)*, <https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/65-2026>, p. 4

⁷⁰ Australian Medical Association Northern Territory, Submission No. 5, p. 11

⁷¹ Explanatory Statement, *Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026 (Serial 65)*, <https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/65-2026>, p. 4

Public Trustee

- 3.63 Part 6 of the Bill seeks to revise the audit requirements of the Public Trustee and modernise language in several areas of the *Public Trustee Act 1979* (NT). As explained by the Minister in her first reading speech:

Part 6 of the Bill amends the *Public Trustee Act 1979* to resolve reporting and timing issues, improve transparency, clarify the calculation method of levies and fees and ensure modern terminology. First, the amendments will amend sections 18, 19 and 24C of the *Public Trustee Act 1979* to clarify and clearly set out the process for the annual auditing of common funds by the Auditor-General and subsequent annual reports by the Public Trustee. Currently, the time line for related requirements for this annual reporting process are uncertain, with the only reference to time frame by an oblique reference to four months in section 24C of the *Public Trustee Act 1979*.

Section 24C is about providing information to investors in the common funds managed by the Public Trustee rather than about the annual reporting process itself. As well as being unclear, this reference appears to create an unrealistic time frame for both the Auditor-General and the Public Trustee, given the number of preliminary steps in the reporting process required under this Act.

The proposed amendments will address the issue and set out a more realistic and transparent process providing greater clarity for all involved in the process. It should be noted that these amendments relate to the reporting of common funds which are established for the management and investment of estate and trust money under the control of the Public Trustee.

Reporting on other more operational matters of the Public Trustee is undertaken separately through standard Northern Territory Government reporting in the annual report of the Office of the Public Guardian and Trustee.⁷²

- 3.64 Amendments to drafting were also explained by the Minister in her first reading speech:

Part 6 also contains a number of other technical amendments, including amendments through the Act to clarify that levies and fees are inclusive of GST. These amendments were included after advice from the Department of Treasury and Finance.

Additionally, there are numerous minor amendments to ensure consistency with modern terminology and drafting practice. For example, Schedule 2 to the Bill further amends the *Public Trustee Act 1979* to update the old fashioned Roman numbering in the heading. It also changes references of 'Attorney-General' to 'minister' in line with contemporary drafting practice to clearly tie administrative responsibility for the Act to the relevant minister under the Administrative Arrangements Order which can change over time.⁷³

- 3.65 These changes are implemented through several amendments to the *Public Trustee Act 1979* (NT) and one amendment to the *Public Trustee Regulations 1979*:

- Clause 22 seeks to repeal and replace section 19 of the *Public Trustee Act 1979* to clarify the powers and obligations of the Auditor-General in relation to the

⁷² Hon. Marie-Clare Boothby, Attorney-General, *Draft Daily Hansard – Day 5 – 13 May 2026*, <https://territorystories.nt.gov.au/10070/1030209>, p. 72

⁷³ Hon. Marie-Clare Boothby, Attorney-General, *Draft Daily Hansard – Day 5 – 13 May 2026*, <https://territorystories.nt.gov.au/10070/1030209>, p. 72

common funds, including specifying that the Auditor-General must audit the common funds within six months of the end of the financial year.⁷⁴

- Clause 21 seeks to amend section 18 of the *Public Trustee Act 1979* to specify that the Public Trustee must provide the Minister their annual report as soon as practicable after the Auditor-General has submitted their audit report. It further seeks to modernise drafting, including by replacing the phrase ‘statement of accounts’ with ‘financial statements’ and ‘Attorney-General’ with ‘Minister’.⁷⁵
- Clause 24 seeks to amend section 24C of the *Public Trustee Act 1979* to replace the requirement for the Public Trustee to provide investors in the common funds information regarding the common funds within four months of the end of the financial year with a requirement to provide that information as soon as practicable after the Minister tables the Public Trustee’s annual report. Additionally, it clarifies the information to be provided to the investors in the common funds, specifying that they must be provided the audited financial statements of the common funds.⁷⁶
- Clauses 23 and 25 seek to amend sections 24A and 28 of the *Public Trustee Act 1979* respectively, to clarify that fees and levies are calculated inclusive of Goods and Services Tax (GST). Consequently, clause 20 seeks to amend section 5 to insert a definition of GST.⁷⁷
- Clauses 26 and 29 seek to amend section 97 of the of the *Public Trustee Act 1979* and Regulation 4 of the *Public Trustee Regulations 1979* respectively, to modernise drafting, including by replacing ‘capital’ with ‘funds under administration’.⁷⁸
- Clause 27 seeks to provide that schedule 2 has effect, including replacing roman numerals with numbers in part headings and replacing ‘Attorney-General’ with ‘Minister’ through the *Public Trustee Act 1979*.⁷⁹

3.66 The NT AGO advised the Committee that there are no current timeframes in which the Auditor-General must complete their audit of the financial statements of the common funds. However, they told the Committee that in practice the timeframes for the preparation and audit of the statement of accounts for each common fund is ‘effectively determined’ by section 24C(1) of the *Public Trustee Act 1979*.⁸⁰ Currently,

⁷⁴ Explanatory Statement, *Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026 (Serial 65)*, <https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/65-2026>, p. 5

⁷⁵ Explanatory Statement, *Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026 (Serial 65)*, <https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/65-2026>, p. 5

⁷⁶ Explanatory Statement, *Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026 (Serial 65)*, <https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/65-2026>, p. 5

⁷⁷ Explanatory Statement, *Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026 (Serial 65)*, <https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/65-2026>, pp. 5-6

⁷⁸ Explanatory Statement, *Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026 (Serial 65)*, <https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/65-2026>, p. 6

⁷⁹ Explanatory Statement, *Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026 (Serial 65)*, <https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/65-2026>, p. 6

⁸⁰ Northern Territory Auditor-General’s Office, Submission No. 1, p. 1.

this requires information to be provided to investors in the common funds within four-months of the end of the financial year.

3.67 The NT AGO noted that the proposed amendments to the timeframes may delay investors in the common funds receiving information.⁸¹ This is because the Bill proposes that:

- the Auditor-General be required to complete their audit within six months of the end of the financial year
- upon report of the audit to the Minister and the Public Trustee, the Public Trustee be required to provide the Minister their annual report, and
- upon the Minister's tabling of the Public Trustee's annual report, the Public Trustee be required to provide their audited financial statements to the investors in the common funds.⁸²

3.68 Additionally, section 18(3) of the *Public Trustee Act 1979* currently provides that the Minister must table the Public Trustee's annual report within six sitting days of receipt. There is no proposal to change this requirement in the Bill.

3.69 Accordingly, the timeframe in which investors in the common funds will be provided the financial statements will depend on the time taken for the Auditor-General to complete the audit (up to 6 months from the end of the financial year, being 30 June), the sitting calendar of the Legislative Assembly (often not meeting in December or January), and the promptness of tabling (the 6th sitting day of a year often not being until March).⁸³

3.70 On this basis, to minimise delays to financial investors receiving the audited financial statements, the NT AGO recommended that the Bill be amended:

a more effective approach would be to... separate the obligations relating to the preparation and tabling of the annual report and the provision of financial information to investors.⁸⁴

3.71 The Committee asked the Department about the timeframes in the Bill. The Department advised that the current timeframes have been found to be too short:

The timing in the amendments will provide an outside timeframe with the intent to provide the Public Trustee's annual report and information to investors earlier than the mandated timing.

The current timeframe in the *Public Trustee Act 1979*, which essentially imposes a four-month timeframe on the total process, has not been met in the past, and is considered to be unsustainable over the longer term.⁸⁵

3.72 The Committee further inquired about the risks or benefits of separating the provision of the audited financial statements to investors and the annual report to the Minister.

⁸¹ Northern Territory Auditor-General's Office, Submission No. 1, p. 1

⁸² Explanatory Statement, *Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026 (Serial 65)*, <https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/65-2026>, p. 5

⁸³ Legislative Assembly of the Northern Territory, Calendar, accessed 25 June 2026, <https://parliament.nt.gov.au/calendar>.

⁸⁴ Northern Territory Auditor-General's Office, Submission No. 1, p. 2

⁸⁵ Attorney-General's Department, *Response to Written Questions – Attorney-General's Department*, 18 June 2026, p. 20

The Department advised that this would increase complexity and reduce flexibility in the process, and could cause other complications:

Splitting the obligations to prepare and table the annual report and to provide financial information to investors to ensure the investors receive information promptly, could result in investors receiving information from the annual report ahead of its finalisation. This approach would also reduce flexibility and simplicity of the process, which may change from year to year depending on circumstances and resources. In addition, the Public Trustee is dependent on a third party (its financial investment intermediaries) to provide the required information.⁸⁶

3.73 The NT AGO also raised concerns that, whilst the Bill proposes obligations on the Auditor-General to complete their audit within 6 months of the end of the financial year, there is no proposed corresponding obligation on the Public Trustee to provide the Auditor-General their financial statements within a defined timeframe.⁸⁷ This could result in the Auditor-General receiving financial statements for audit within a period too close to their mandated deadline to meet their obligations. As such, the NT AGO recommended that the Bill be amended to provide a deadline for the Public Trustee to provide the Auditor-General their financial statements:

a more effective approach would be... requiring the Public Trustee to submit financial statements to the Auditor-General within a specified timeframe after the end of the financial year, while retaining a defined period for completion of the audit thereafter.⁸⁸

3.74 Additionally, the NT AGO highlighted that other legislation *does* include timeframes for both parties:

This approach is inconsistent with other legislation, which typically:

- require the accountable authority to prepare and submit financial statements for audit within a defined period after the end of each financial year
- require the Auditor-General to complete the audit within a specified period thereafter.⁸⁹

3.75 The Committee notes that other legislation often includes timeframes by which accountable authorities must provide the Auditor-General their financial statements or otherwise provides discrete deadlines for different phases of the audit process to be completed. These include:

- the *Menzies School of Health Research Act 1985* (NT), which requires the Director to prepare financial statements for audit within 3 months of the end of the financial year. The Auditor-General must then audit those financial statements and report to the Minister within 3 months of receiving them.⁹⁰
- the *Financial Management Act 1995* (NT), which requires Government Business Divisions to prepare financial statements within 2 months after the end of the financial year. The Minister must table the financial statement and the Auditor-

⁸⁶ Attorney-General's Department, *Response to Written Questions – Attorney-General's Department*, 18 June 2026, p. 20

⁸⁷ Northern Territory Auditor-General's Office, Submission No. 1, p. 2

⁸⁸ Northern Territory Auditor-General's Office, Submission No. 1, p. 2

⁸⁹ Northern Territory Auditor-General's Office, Submission No. 1, p. 2

⁹⁰ *Menzies School of Health Research Act 1985* (NT), section 32

General's audit report with 4 months after the end of the financial year, unless the Treasurer determines otherwise.⁹¹

- the *Government Owned Corporations Act 2001* (NT), which requires Government owned corporations to provide the Auditor-General their financial statements within 2 months after the end of the financial year. The Auditor-General must then audit those financial statements and report to the Board of the Government owned corporation within one month, unless the Administrator provides an alternative deadline.⁹²
- the *Charles Darwin University Act 2003* (NT), which requires the Vice-Chancellor to prepare financial statements for audit within 3 months of the end of the financial year. The Auditor-General must then audit those financial statements and report to the Minister within 3 months of receiving them.⁹³

3.76 The Committee asked the Department whether they had considered including a timeframe in which the Public Trustee must provide the Auditor-General their financial statements. They advised the Committee that they considered there was an implicit requirement on the Public Trustee to provide information in a timely manner:

It was not considered necessary to mandate a deadline for the Public Trustee to submit financial statements to the Auditor-General, as it would be implicit that the Public Trustee is required to do this to support the Auditor-General in conducting their audit within six months of the end of the financial year.⁹⁴

3.77 The Committee also asked the Department whether there would be any risks or benefits to setting the Public Trustee a deadline for providing the Auditor-General their financial statements. They advised that it would reduce flexibility for the Public Trustee:

There is a risk that establishing a deadline for the Public Trustee to submit financial statements to the Auditor-General would impact on flexibility, particularly noting the Public Trustee is reliant on a third party for preparing the financial statements.

Setting a timeframe of, for example, four months from the end of the financial year, is realistic but unlikely to reduce the overall timeframes for finalising the annual report and providing information to investors.⁹⁵

Committee's Comments

3.78 The Committee notes that the timeframes provided for financial investors to receive information from the Public Trustee are outside timeframes and the audit process may be completed earlier. Accordingly, on balance, the Committee agrees that the benefits of splitting reporting obligations to enable earlier provision of information to financial investors does not outweigh the undesirable level of complexity in the audit regime that it would create.

⁹¹ *Financial Management Act 1995* (NT), section 10

⁹² *Government Owned Corporations Act 2001* (NT), sections 42 and 43

⁹³ *Charles Darwin University Act 2003* (NT), section 39

⁹⁴ Attorney-General's Department, *Response to Written Questions – Attorney-General's Department*, 18 June 2026, pp. 20-1

⁹⁵ Attorney-General's Department, *Response to Written Questions – Attorney-General's Department*, 18 June 2026, p. 21

- 3.79 The Committee notes that a key purpose of the amendments to the *Public Trustee Act 1979*, as outlined by the Minister in her first reading speech, is to address issues of uncertainty and opaqueness in the audit process:

Currently, the time line for related requirements for this annual reporting process are uncertain... Section 24C... appears to create an unrealistic time frame for both the Auditor-General and the Public Trustee...The proposed amendments will address the issue and set out a more realistic and transparent process providing greater clarity for all involved in the process.⁹⁶

- 3.80 However, as drafted, the Committee considers the Bill to only partially resolve these concerns. In particular, the Committee notes the NT AGO's desire for certainty regarding the Public Trustee's obligations to provide financial statements to the Auditor-General in enough time for the Auditor-General to complete their audit within the 6-month timeframe proposed in the Bill. The Committee further notes that it is common practice for accountable authorities to have a timeframe for provision of financial statements to the Auditor-General.
- 3.81 The Committee agrees that the Auditor-General should have certainty regarding audit timeframes. As such, the Committee recommends that clause 22 of the Bill be amended to require the Public Trustee to provide the Auditor-General the financial statements in relation to the common funds within 4 months after the end of the financial year.

Recommendation 2

The Committee recommends that clause 22 of the Bill be amended to require the Public Trustee to provide the Auditor-General the financial statements in relation to the common funds within 4 months after the end of the financial year.

⁹⁶ Hon. Marie-Clare Boothby, Attorney-General, *Draft Daily Hansard – Day 5 – 13 May 2026*, <https://territorystories.nt.gov.au/10070/1030209>, p. 72

Appendix 1: Submissions Received

Submissions Received

1. Northern Territory Auditor-General's Office
2. Office of the Coroner
3. Office of the Children's Commissioner
4. Elizabeth Creed
5. Australian Medical Association Northern Territory

Note: Copies of submissions are available at:

<https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/65-2026>

Appendix 2: Public Briefing

Public Briefing – Darwin, 27 May 2026

Attorney General's Department

- Janet Hanigan: Executive Director, Strategic Policy Coordination
- Rosslyn Chenoweth: Principal Policy Lawyer, Legislation and Legal Policy

Note: Copies of the public briefing transcript is available at:

<https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/65-2026>

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Charles Darwin University Act 2003 (NT)

Explanatory Statement, *Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026 (Serial 65)*,

<https://parliament.nt.gov.au/committees/list/legislative-scrutiny-committee/65-2026>

Financial Management Act 1995 (NT)

Government Owned Corporations Act 2001 (NT)

Hon Marie-Claire Boothby, Attorney-General, *Draft Daily Hansard – Day 5 – 13 May 2026*,

<https://territorystories.nt.gov.au/10070/1030209>

Menzies School of Health Research Act 1985 (NT)

Dissenting Report – Mr Dheran Young MLA



Dissenting report

Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026

Abolition of the Child Death Review and Prevention Committee

The proposed abolition of the Child Deaths Review and Prevention Committee (CDRPC) raises significant concerns regarding transparency, accountability and the independent oversight of child deaths in the Northern Territory.

The CDRPC is an independent statutory body established in 2008 following recommendations of the landmark *Little Children are Sacred* report. That inquiry recognised that independent child death review mechanisms are essential to understanding when a child passes away, identifying systemic failures and recommending measures to reduce preventable deaths. The establishment of the Committee was supported on a bipartisan basis, recognising the importance of an independent child death review process.

The Northern Territory continues to record the highest child mortality rates in Australia. The recommended removal of the Territory's only legislatively independent child death review body represents a significant policy shift. The Bill would remove the statutory independence of child death reviews without providing equivalent independent oversight.

The Northern Territory Coroner has expressed opposition to the Bill, noting that legislative independence enables the Committee to critically examine systemic failures, including those involving government departments and agencies. Independence also allows the Committee to identify gaps in policy and service delivery and make recommendations that may be difficult or uncomfortable for government agencies to examine internally. Importantly, the CDRPC is able to review deaths that are not reportable to the Coroner, ensuring a broader examination of child mortality across the Territory.

The Government has stated that the purpose of abolishing the Committee is to reduce overlap and duplication with existing processes. However, no clear evidence has been provided to identify the nature, extent or frequency of this alleged duplication. Available data instead suggests the two bodies perform distinct functions. Since October 2024, there have been 151 child deaths recorded in the Northern Territory, while only 30 of those deaths have been reported to the Coroner. This demonstrates that the majority of child deaths fall outside the Coroner's jurisdiction and would not receive the same level of independent review if the CDRPC were abolished.

Given the Territory's persistently poor child mortality outcomes, the absence of demonstrated duplication, and the concerns raised by the Coroner regarding the loss of independent oversight, the Committee should carefully consider whether the proposed reforms will weaken the Territory's ability to identify systemic issues and prevent future child deaths.

Recommendation 1

Clauses 4, 5 and 6 of the Bill should not pass. The Child Death Review and Prevention Committee should be retained as an independent statutory body and be appropriately resourced to continue carrying out its important review, oversight and prevention functions.

Regards,

A handwritten signature in black ink, appearing to read 'Dheran Young', with a stylized flourish at the end.

Dheran Young MLA
Member for Daly

7 July 2026

Dissenting Report – Justine Davis MLA

Justine Davis MLA

Independent Member for Johnston

Alawa - Jingili - Millner - Moil

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7 July 2026

Dear Chair and Members of the Legislative Scrutiny Committee,

Re: Attorney-General Legislation Amendment (Boards, Committees and Statutory Offices) Bill 2026

I acknowledge the work of the Legislative Scrutiny Committee and the Committee Secretariat in examining this Bill and preparing a report for Parliament. I also acknowledge the submitters who engaged with the inquiry process, and the Department for providing detailed responses to written questions.

The stated purpose of this Bill is to streamline the operation of boards and committees across the Attorney-General's portfolio. I support that objective. However, the evidence before the Committee does not support abolishing the Child Death Review and Prevention Committee. This dissenting report focuses on that issue.

I note that I support the majority recommendation to amend clause 22. The Auditor-General gave clear, uncontested evidence that the current law sets no deadline for the Public Trustee to hand over financial statements, which means the audit cannot be completed on time, and Territorians who have money in common funds wait longer than they should for audited information about it. A four-month deadline addresses this, and the Department's own written responses acknowledged that a four-month timeframe is realistic.

**Abolition of the Child Death Review and Prevention Committee
(Clauses 4–6)**

The Government says this is about streamlining. The Department's own evidence tells a different story. Abolishing the CDRPC removes the only body in the Northern Territory that independently reviews child deaths, including the majority of child deaths that never come before the Coroner, with nothing confirmed to replace it.

The basis for the decision

The Department confirmed the decision was made following the change of government as part of an administrative review. It also confirmed there was no consultation with the Coroner, Children's Commissioner, Committee members or other experts before deciding to abolish the Territory's only independent child death review body.



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When asked when the decision was made not to consult, the Department replied there was "no specific decision point". In effect, no one ever asked whether consultation should occur before abolishing an independent oversight body.

The evidence given to the inquiry by those experts directly contradicted the Department's assessment. The Coroner said their office is not equipped to absorb the CDRPC's functions without a 25–30 per cent increase in capacity and significant additional paediatric expertise that does not currently exist in the Coroner's Office. The Children's Commissioner raised concerns including similar issues about resourcing that remain unresolved. Former Committee members raised concerns. The Department confirmed all of this in writing.

The Department also confirmed that the CDRP Committee had not met since October 2024 because it was "under active consideration" and it was therefore "not appropriate to proceed with new appointments" until a decision was made.

In effect, the Government stopped appointing members, allowed the Committee to cease functioning, and now relies on that inactivity as part of the case for abolishing it. That is circular reasoning, not evidence-based reform.

When asked whether a human rights assessment had been conducted regarding the impact of abolition on Australia's obligations under the Convention on the Rights of the Child, the Department confirmed that no such assessment was undertaken. The Department's position was that the Convention does not prescribe a particular institutional model, and that the decision concerned governance arrangements rather than the continuation of functions. That does not answer whether the arrangements being put in place fulfil those obligations in practice, and based on the evidence, they are not.

The proposed function transfer is inadequate

The Department claimed that the CDRPC's functions will be absorbed by existing bodies. The Department's written responses, outlining a function-by-function allocation, do not support this, and I go through each of these below.



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1. The Child and Youth Development Research Partnership (CYDRP) is not a replacement.

The CYDRP was presented in the Explanatory Statement and in the Department's earlier evidence as the primary vehicle for retaining the research functions of the

CDRP Committee. The Department has now confirmed in writing that CYDRP "is not a direct replacement for CDRPC's research function" and "does not assume the CDRPC's statutory role."

2. The Child Death Register will have no legal basis after this Bill passes.

The Department confirmed that the Child Death Register will continue as an "administrative register" maintained by the Office of the Coroner. The Department confirmed that the Coroner does not currently have a statutory responsibility to maintain the Child Death Register or to report child death data to national organisations; these functions are not provided for in the *Coroners Act 1993*.

The Register will therefore have no legislative basis following the repeal of Part 3.3 of the Care and Protection of Children Act 2007. An administrative arrangement, dependent on goodwill and continued resourcing decisions, is not an equivalent substitute for a statutory obligation.

3. No additional funding has been provided to any body taking on functions.

The Department confirmed that no additional funding, staffing, or infrastructure has been allocated to the Coroner's Office or the Office of the Children's Commissioner for the functions proposed to be transferred. The Department's position is that these functions "align closely" with existing responsibilities and therefore require no additional resourcing.

The Coroner and the Children's Commissioner's submissions to this inquiry contradicted that position. Transferring functions without transferring resources is not a transition plan.



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4. The transfer of functions has not been legislated.

The Bill abolishes the CDRPC but does not amend any other Act to transfer its functions. The Department's rationale is that existing mandates are sufficient.

The Children's Commissioner submitted that this leaves no transparent or enforceable mechanism for ensuring the functions are actually performed.

The Department's response to written questions confirm this concern is warranted: as of the date of response, the Chief Health Officer had not yet been consulted and advice to the Minister had not yet been provided.

144 child deaths have not been independently reviewed

Since the Committee last met in October 2024, 144 children have died in the Northern Territory. Most have not been independently reviewed.

The Coroner reviews only deaths reportable under the Coroners Act - between 17 and 64 per cent of child deaths in recent years. The remainder have no independent review mechanism.

When asked what would happen to those cases, the Department said it would "finalise its approach as part of the transition work". No timeframe or plan was provided.

These are not abstract governance concerns. These are 144 children who have died since October 2024, the majority of whose deaths have not been independently reviewed, with no confirmed plan for when or how that review will occur.

The NT will stand alone without a dedicated, independent body to review child deaths

Every other Australian jurisdiction has a dedicated, independent body to review child deaths. If this Bill passes unamended, the NT will be the only one that does not. The Department's responses do not address this.

There is no evidence that the NT has considered what every other jurisdiction has concluded - that an independent body, dedicated to this function, is necessary. The evidence before this Committee, including the Department's own statements regarding inadequate resourcing, unlegislated function transfer, and an unresolved backlog does not support the NT becoming the exception.



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Dissenting Recommendation 1

Clauses 4, 5 and 6 of the Bill should not pass. The Child Death Review and Prevention Committee should be retained and adequately funded to perform its functions.

Dissenting Recommendation 2

If the Legislative Assembly determines that the CDRP Committee should be abolished, clauses 4, 5 and 6 should not come into operation until:

- the transfer of all functions of the CDRP Committee to specific bodies has been confirmed and legislated;
- adequate resourcing for those bodies to perform the transferred functions has been confirmed; and
- a plan for the review of the 144 child deaths that have not been independently reviewed since October 2024 has been finalised and made public.

Public Trustee and Auditor-General — Clause 22

I support the majority recommendation that clause 22 be amended to require the Public Trustee to provide the Auditor-General with financial statements and records in relation to the common funds within four months after the end of the financial year.



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Conclusion

Streamlining government processes is a legitimate and worthwhile objective. The abolition of the Child Death Review and Prevention Committee goes far beyond this.

The Government has not demonstrated that the functions of the Child Death Review and Prevention Committee will continue in an equivalent, independent and adequately resourced form.

It has not legislated the transfer of functions. It has not provided additional resources. It has not completed a human rights assessment. And it has not produced a plan for the 144 children whose deaths remain unreviewed.

This is not streamlining. It is the removal of independent oversight without an accountable replacement.

Every child death should be examined so that lessons can be learned and future deaths prevented.

Until an equivalent statutory, independent and properly resourced system is in place, I cannot support abolishing the Child Death Review and Prevention Committee.

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