



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

Legislation Scrutiny Committee

Associated Minutes of Proceedings
Inquiry into the Sexual Offences
(Evidence and Procedure)
Amendment Bill 2019

March 2020



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

13th Assembly

LEGISLATION SCRUTINY COMMITTEE

MINUTES OF PROCEEDINGS

Meeting No. 2

10.00 am, Monday 9 December 2019

Litchfield Room

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

Secretariat: Julia Knight, Committee Secretary
Jennifer Buckley, Committee Secretary
Elise Dyer, Senior Research Officer
Melissa Campaniello, Administration/Research Officer
Kim Cowcher, Administration Assistant

1. PUBLIC BRIEFINGS: NEW BILL REFERRALS

The Committee heard from the following witnesses:

Justice Legislation Amendment (Domestic and Family Violence) Bill 2019

Jenni Daniel-Yee: Director, Legal Policy, Department of the Attorney-General and Justice

Penny Drysdale: Senior Policy Officer and Lawyer, Policy Coordination/Legal Policy, Department of the Attorney-General and Justice

Licensing (Director-General) Repeal Bill 2019

Jenni Daniel-Yee: Director, Legal Policy, Department of the Attorney-General and Justice

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

Sexual Offences (Evidence and Procedure) Amendment Bill 2019

Jenni Daniel-Yee: Director, Legal Policy, Department of the Attorney-General and Justice

Leonique Swart: Principal Policy Lawyer, Legal Policy, Department of the Attorney-General and Justice

Ports Legislation Amendment Bill 2019

Nick Papandonakis: Executive Director Strategy Policy and Legislation, Department of Infrastructure, Planning and Logistics

Guy Riley: Senior Legal Policy Officer, Department of Infrastructure, Planning and Logistics

James Mathews: Senior Policy Officer, Department of Infrastructure, Planning and Logistics

Petroleum Legislation Miscellaneous Amendments Bill 2019

Rod Applegate: Deputy Chief Executive Officer

James Pratt: Executive Director, Onshore Gas Development

Emma Jane Farnell: Director, Onshore Gas Development

The Committee adjourned at 12.00 pm until 12.45 pm

2. PUBLIC HEARING: RESIDENTIAL TENANCIES LEGISLATION AMENDMENT BILL 2019

The Committee heard from the following witnesses:

Darwin Community Legal Service

Linda Weatherhead: Executive Director

Tamara Spence: Managing Solicitor Tenancy Advice Service and Specialist Services

Caroline Deane: Tenancy Advice Service Solicitor

Tabled Paper: *Minimum notice periods for evictions without grounds.*

Real Estate Institute of the Northern Territory

Quentin Kilan: Chief Executive Officer

Diane Davis: President

Allison O'Neil: Director

Department of the Attorney-General and Justice

Doug Burns: Senior Policy Lawyer, Legal Policy

Hannah Clee: Senior Policy Lawyer, Legal Policy

Department of Local Government, Housing and Community Development

Christine Fitzgerald: Executive Director, Strategy, Policy and Performance

Tanya Hancock: Director Policy, Strategy, Policy and Performance

The Committee adjourned at 2.30 pm.

DELIBERATIVE MEETING

3. MINUTES OF PREVIOUS MEETING

Mr Sievers moved and Ms Nelson seconded that:

The Minutes of Meeting no. 1 of 28 November 2019 be confirmed.

Question put and passed.

4. CORRESPONDENCE

Noted

Mr Sievers moved and Mrs Finocchiaro seconded that:

The Committee authorise publication of the submission received from the North Australian Aboriginal Justice Agency regarding the Residential Tenancies Legislation Amendment Bill 2019.

Question put and passed.

5. MARINE POLLUTION LEGISLATION AMENDMENT BILL 2019

Mr Sievers moved and Ms Nelson seconded that:

The Committee adopt the Chair's draft report, *Inquiry into the Marine Pollution Legislation Amendment Bill 2019*, to be sent to the Speaker on Tuesday 10 December 2019 pursuant to SO 200(4) for subsequent tabling in the Assembly on Tuesday 11 February 2020.

Question put and passed.

6. NEXT MEETING

Deliberative: 1.00 pm – 2.00 pm, Monday 16 December (Consideration of evidence/Chair's draft report on Residential Tenancies Legislation Amendment Bill 2019).

Meeting closed at 2.45 pm.



**Ms Ngaree Ah Kit, MLA
Chair**



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY
13th Assembly

LEGISLATION SCRUTINY COMMITTEE
MINUTES OF PROCEEDINGS

Meeting No. 4

12.00 pm, Thursday 13 February 2020
Litchfield Room

- Present:** Ms Ngaree Ah Kit MLA, Chair, Member for Karama
Ms Sandra Nelson MLA, Deputy Chair, Member for Katherine
Mrs Lia Finocchiaro MLA, Member for Spillett
Mrs Robyn Lambley MLA, Member for Araluen
Mr Tony Sievers MLA, Member for Brennan
- Secretariat:** Russell Keith, First Clerk Assistant
Julia Knight, Committee Secretary
Jennifer Buckley, Committee Secretary
Elise Dyer, Senior Research Officer
Melissa Campaniello, Administration/Research Officer

1. MINUTES OF PREVIOUS MEETING

Mrs Finocchiaro moved and Mr Sievers seconded that:

The Minutes of Meeting No. 3 of 16 December 2019 be confirmed.

Question put and passed.

2. CORRESPONDENCE

Noted

3. PROPOSED BILL INQUIRY PLAN

Mrs Finocchiaro moved and Mr Sievers seconded that:

1. The Committee call for submissions to its inquiries into new Bill referrals, with the exception of the Liquor Amendment Bill 2020, to be received by Wednesday 11 March 2020.
2. The Committee call for submissions to its inquiry into the Liquor Amendment Bill, to be received by 2 March 2020.
3. The Committee write to the responsible Ministers requesting a contact officer in relation to the Bills.

Questions put and passed.

4. JUSTICE LEGISLATION AMENDMENT (DOMESTIC AND FAMILY VIOLENCE) BILL 2019

Mrs Finocchiaro moved and Mr Sievers seconded that:

The Committee authorise publication of submissions received.

Question put and passed.

Mrs Finocchiaro moved and Mr Sievers seconded that:

1. The Committee forward the questions of the department to the Attorney-General and Minister for Justice requesting a written response by Tuesday 25 February 2020.
2. The Committee invite representatives from the Darwin Community Legal Service, the Northern Territory Women's Legal Service, the North Australian Aboriginal Family Legal

Service, and the Department of the Attorney-General and Justice, to appear before the Committee at its public hearing on Monday, 2 March 2020.

Questions put and passed.

5. PORTS LEGISLATION AMENDMENT BILL 2019

Mr Sievers moved and Ms Nelson seconded that:

The Committee forward the legal advice to the Minister for Infrastructure, Planning and Logistics requesting a written response to the issues raised by Professor Aughterson by Tuesday 25 February 2020.

Question put and passed.

6. LICENSING (DIRECTOR-GENERAL) REPEAL BILL 2019

Ms Nelson moved and Mr Sievers seconded that:

The Committee adopt the Chair's draft 'No Issues' report, *Inquiry into the Licensing (Director-General) Repeal Bill 2019* to be sent to the Speaker on Friday 14 February 2020 pursuant to SO 200(4) for subsequent tabling in the Assembly on Tuesday 18 February 2020.

Question put and passed.

7. PETROLEUM LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2019

Mrs Finocchiaro moved and Ms Nelson seconded that:

The Committee authorise publication of the submissions received.

Question put and passed.

The Committee also agreed to accept a late submission from the Northern Territory Cattlemen's Association to be received by Friday 14 February 2020.

Mrs Finocchiaro moved and Mr Sievers seconded that:

1. The Committee forward the questions of the department to the Minister for Primary Industry and Resources requesting a written response by Tuesday 25 February 2020.
2. The Committee invite representatives from the Environmental Defenders Office, the Northern and Central Land Councils, the Australian Petroleum Production and Exploration Association, the Protect Country Alliance, the Northern Territory Cattlemen's Association and the Department of Primary Industry and Resources to appear before the Committee at its public hearing on Monday, 2 March 2020.

Questions put and passed.

8. SEXUAL OFFENCES (EVIDENCE AND PROCEDURE) AMENDMENT BILL 2019

Ms Nelson moved and Mrs Finocchiaro seconded that:

The Committee authorise publication of the submissions received.

Question put and passed.

Mrs Finocchiaro moved and Mr Sievers seconded that:

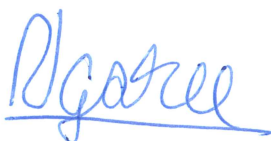
1. The Committee forward the questions of the department to the Attorney-General and Minister for Justice requesting a written response by Tuesday 25 February 2020.
2. The Committee invite representatives from the Northern Territory Women's Legal Service, Knowmore Legal Service, the North Australian Aboriginal Family Legal Service, Australia's Right to Know, and the Department of the Attorney-General and Justice to appear before the Committee at its public hearing on Monday, 2 March 2020.

Questions put and passed.

9. NEXT MEETING

Deliberative: 12.00 pm, Thursday 20 February 2020 (consideration of new Bill referrals).

Meeting closed at 1.14 pm



**Ms Ngaree Ah Kit, MLA
Chair**



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

13th Assembly

LEGISLATION SCRUTINY COMMITTEE

MINUTES OF PROCEEDINGS

Meeting No. 6

8.30 am, Monday 2 March 2020

Litchfield Room

Present:	Ms Ngaree Ah Kit MLA, Chair, Member for Karama Ms Sandra Nelson MLA, Deputy Chair, Member for Katherine Mrs Lia Finocchiaro MLA, Member for Spillett Mr Tony Sievers MLA, Member for Brennan
Alternate Member:	Mr Jeff Collins MLA, Member for Fong Lim in place of Mrs Robyn Lambley MLA, Member for Araluen
Secretariat:	Julia Knight, Committee Secretary Jennifer Buckley, Committee Secretary Elise Dyer, Senior Research Officer Melissa Campaniello, Administration/Research Officer Kim Cowcher: Administration Assistant

1. PUBLIC HEARING

Justice Legislation Amendment (Domestic and Family Violence) Bill 2019

The Committee heard from the following witnesses:

Darwin Community Legal Service

Linda Weatherhead: Executive Director

Tamara Spence: Managing Solicitor, Tenant's Advice Service

Caroline Deane: Solicitor, Tenant's Advice Service

Northern Territory Women's Legal Services

Caitlin Weatherby-Fell: Senior Solicitor, Top End Women's Legal Service

North Australian Aboriginal Family Legal Service

Melisa Coveney: Acting Principal Lawyer

Sophie Hantz: Solicitor

Department of the Attorney-General and Justice

Robert Bradshaw: Director, Policy Coordination

Penny Drysdale: Senior Policy Officer and Lawyer

2. PUBLIC HEARING

Petroleum Legislation Miscellaneous Amendments Bill 2019

The Committee heard from the following witnesses:

Northern Territory Cattlemen's Association

Ashley Manicaros: Chief Executive Officer

3. PUBLIC HEARING

Sexual Offences (Evidence and Procedure) Amendment Bill 2019

The Committee heard from the following witnesses:

Northern Territory Women's Legal Services

Caitlin Weatherby-Fell: Senior Solicitor, Top End Women's Legal Service

North Australian Aboriginal Family Legal Service

Melisa Coveney: Acting Principal Lawyer

Sophie Hantz: Solicitor

Knowmore Legal Service

Warren Strange: Executive Officer

Lauren Hancock: Law Reform and Advocacy Officer

Australia's Right to Know

Georgia-Kate Schubert: Head of Policy and Government Affairs, News Corp Australia

Gina McWilliams: Legal Counsel, News Corp Australia

Department of the Attorney-General and Justice

Leonique Swart: Principal Policy Lawyer, Legal Policy

Jane Bochmann: Senior Policy Lawyer, Legal Policy

4. PUBLIC HEARING

Petroleum Legislation Miscellaneous Amendments Bill 2019

The Committee heard from the following witnesses:

Environmental Defenders Office

Gillian Duggin: Managing Lawyer

Northern and Central Land Councils

Greg McDonald: Manager, Mineral and Energy

Tom Weston: Lawyer

Australian Petroleum Production and Exploration Association

Keld Knudsen: Director, Northern Territory

Stephanie Stonier: Corporate Affairs Manager (Northern Australia) Origin Energy. Chair of APPEA NT onshore working group

Protect Country Alliance

Lauren Mellor: Spokesperson

Rod Dunbar: Lexcray and Nutwood Downs Cattle Station

Department of Primary Industry and Resources

Alister Trier: Chief Executive

James Pratt: Executive Director, Onshore Gas Development

Emma Farnell: Director, Onshore Gas Development

Department of Environment and Natural Resources

Paul Purdon: Executive Director, Environment Protection

DELIBERATIVE MEETING

5. MINUTES OF PREVIOUS MEETING

Mrs Finocchiaro moved and Ms Nelson seconded that:

The Minutes of Meeting No. 5 of 20 February 2020 be confirmed.

Question put and passed.

6. CORRESPONDENCE

Noted

7. PORTS LEGISLATION AMENDMENT BILL 2019

Mr Sievers moved and Ms Nelson seconded that:

The Committee adopt the Chair's draft report, *Inquiry into the Ports Legislation Amendment Bill 2019* to be sent to the Speaker on Wednesday 4 March 2020 pursuant to SO 200(4) for subsequent tabling in the Assembly on Tuesday 24 March 2020.

Question put and passed.

8. LIQUOR AMENDMENT BILL 2020

Submissions received:

- (a) Submission 1: NTCOSS
- (b) Submission 2: Alcohol and Drug Foundation
- (c) Submission 3: People's Alcohol Action Coalition
- (d) Submission 4: Danila Dilba Health Service

Ms Nelson moved and Mrs Finocchiaro seconded that:

The Committee authorise publication of the submissions received on the Liquor Amendment Bill 2020.

Question put and passed.

The Committee also authorised publication of any additional submissions that may be received to this inquiry, other than those where submitters request confidentiality or the committee secretariat identifies material not suitable for publication.

9. OTHER BUSINESS

Ms Ah Kit advised that, pursuant to SO 181, she would be seeking to be discharged from the Committee as of Tuesday 10 March 2020.

Mrs Finocchiaro, and fellow Committee Members, thanked Ms Ah Kit for her excellent work in chairing the Committee and for ensuring a thorough and bipartisan approach to the legislation scrutiny process.

10. NEXT MEETING

Deliberative: 10.00 am, Monday 9 March 2020 (Consideration of evidence/draft reports on Bills referred in November sittings and consideration of submissions received on the Liquor Amendment Bill.

Meeting closed at 2.25 pm.



Ms Ngaree Ah Kit, MLA
Chair



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

13th Assembly

LEGISLATION SCRUTINY COMMITTEE

MINUTES OF PROCEEDINGS

Meeting No. 7

10.00 am, Monday 9 March 2020

Litchfield Room

- Present:** Ms Ngaree Ah Kit MLA, Chair, Member for Karama
Ms Sandra Nelson MLA, Deputy Chair, Member for Katherine
Mrs Robyn Lambley MLA, Member for Araluen
Mr Tony Sievers MLA, Member for Brennan
- Alternate Members:** Mr Jeff Collins MLA, Member for Fong Lim in place of Mrs Robyn Lambley
MLA, Member for Araluen regarding the Justice Legislation Amendment
(Domestic and Family Violence) Bill inquiry, the Sexual Offences
(Evidence and Procedure) Amendment Bill inquiry and the Petroleum
Legislation Miscellaneous Amendments Bill inquiry.
Mr Gary Higgins MLA, Member for Daly in place of Mrs Lia Finocchiaro
MLA, Member for Spillett
- Secretariat:** Russell Keith, First Clerk Assistant
Julia Knight, Committee Secretary
Jennifer Buckley, Committee Secretary
Elise Dyer, Senior Research Officer
Melissa Campaniello, Administration/Research Officer

1. MINUTES OF PREVIOUS MEETING

Mr Sievers moved and Mr Collins seconded that:

The Minutes of Meeting No. 6 of 2 March 2020 be confirmed.

Question put and passed.

2. LIQUOR AMENDMENT BILL

Consideration of submissions

Mr Sievers moved and Ms Nelson seconded that:

The Committee forward the questions of the Department to the Attorney-General and
Minister for Justice requesting a written response by Thursday 12 March 2020.

Question put and passed.

3. JUSTICE LEGISLATION AMENDMENT (DOMESTIC AND FAMILY VIOLENCE) BILL 2019

Consideration of evidence noted and agreed to.

4. SEXUAL OFFENCES (EVIDENCE AND PROCEDURE) AMENDMENT BILL 2019

Consideration of evidence noted and agreed to.

5. PETROLEUM LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2019

Consideration of evidence noted and agreed to.

6. UPDATED BILL INQUIRY PLAN

Noted

7. NEXT MEETING

Deliberative: 3 pm, Monday 16 March 2020 (Consideration of Chair's draft reports on Bills referred in November sittings and consideration of departmental responses on the Liquor Amendment Bill.

Meeting closed at 11.53 am.

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

Mr Tony Sievers, MLA
Chair



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

13th Assembly

LEGISLATION SCRUTINY COMMITTEE

MINUTES OF PROCEEDINGS

Meeting No. 8

3.00 pm, Monday 16 March 2020

Litchfield Room

Present:	Mr Tony Sievers MLA, Chair, Member for Brennan Ms Sandra Nelson MLA, Deputy Chair, Member for Katherine Mr Joel Bowden MLA, Member for Johnston Mrs Lia Finocchiaro MLA, Member for Spillett Mrs Robyn Lambley MLA, Member for Araluen
Secretariat:	Russell Keith, First Clerk Assistant Julia Knight, Committee Secretary Jennifer Buckley, Committee Secretary Elise Dyer, Senior Research Officer Melissa Campaniello, Administration/Research Officer

1. ELECTION OF CHAIR

On 10 March 2020, Member for Karama, Ms Ngaree Ah Kit MLA was discharged from the Committee. The Secretary called for nominations for Chair.

Mrs Finocchiaro nominated Ms Nelson to be the Chair of the Committee. However, Ms Nelson declined the nomination. Ms Nelson then nominated Mr Sievers to be the Chair and Mr Bowden seconded the nomination.

As there were no other nominations, the Secretary declared Mr Sievers to be the elected Chair of the Committee

2. MINUTES OF PREVIOUS MEETING

Mr Sievers moved and Ms Nelson seconded that:

The Minutes of Meeting No. 7 of 9 March 2020 be confirmed.

Question put and passed.

3. JUSTICE LEGISLATION AMENDMENT (DOMESTIC AND FAMILY VIOLENCE) BILL 2019

Mr Sievers moved and Ms Nelson seconded that:

The Committee adopt the Chair's draft report, *Inquiry into the Justice Legislation Amendment (Domestic and Family Violence) Bill 2019*, to be sent to the Speaker on Wednesday 18 March 2020 pursuant to SO 200(4) for subsequent tabling in the Assembly on Tuesday 24 March 2020.

Question put and passed.

4. SEXUAL OFFENCES (EVIDENCE AND PROCEDURE) AMENDMENT BILL 2019

Mr Sievers moved and Ms Nelson seconded that:

The Committee adopt the Chair's draft report, *Inquiry into the Sexual Offences (Evidence and Procedure) Amendment Bill 2019*, to be sent to the Speaker on Wednesday 18 March 2020 pursuant to SO 200(4) for subsequent tabling in the Assembly on Tuesday 24 March 2020.

Question put and passed.

5. PETROLEUM LEGISLATION MISCELLANEOUS AMENDMENTS BILL 2019

Mr Sievers moved and Ms Nelson seconded that:

The Committee adopt the Chair's draft report, *Inquiry into the Petroleum Miscellaneous Amendments Bill 2019*, to be sent to the Speaker on Wednesday 18 March 2020 pursuant to SO 200(4) for subsequent tabling in the Assembly on Tuesday 24 March 2020.

Question put and passed.

6. PLANNING AMENDMENT BILL 2020

Ms Nelson moved and Mrs Finocchiaro seconded that:

The Committee authorise publication of the submissions received.

Question put and passed.

7. TREATY COMMISSIONER BILL 2020

Mrs Finocchiaro moved and Ms Nelson seconded that:

The Committee adopt the Chair's draft 'No Issues' report, *Inquiry into the Treaty Commissioner Bill 2020*, to be sent to the Speaker on Wednesday 18 March 2020 pursuant to SO 200(4) for subsequent tabling in the Assembly on Tuesday 24 March 2020.

Question put and passed.

8. TRANSPORT LEGISLATION AMENDMENT BILL 2020

Ms Nelson moved and Mrs Finocchiaro seconded that:

The Committee adopt the Chair's draft 'No Issues' report, *Inquiry into the Transport Legislation Amendment Bill 2020*, to be sent to the Speaker on Wednesday 18 March 2020 pursuant to SO 200(4) for subsequent tabling in the Assembly on Tuesday 24 March 2020.

Question put and passed.

9. FIREARMS LEGISLATION AMENDMENT BILL 2020

Ms Nelson moved and Mr Sievers seconded that:

The Committee authorise publication of the submissions received.

Question put and passed.

10. RETURN TO WORK LEGISLATION AMENDMENT BILL 2020

Ms Nelson moved and Mr Sievers seconded that:

The Committee authorise publication of the submissions received.

Question put and passed.

11. JUDICIAL COMMISSION BILL 2020

Ms Nelson moved and Mr Sievers seconded that:

The Committee authorise publication of the submissions received.

Question put and passed.

12. LIQUOR AMENDMENT BILL 2020

Department's response noted.

13. NEXT MEETING

Deliberative via teleconference: 3.00 pm, Wednesday 18 March 2020 (Consideration of Chair's draft report on the Liquor Amendment Bill).

Meeting closed at 4.55 pm.

Mr Tony Sievers, MLA
Chair