



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

Social Policy Scrutiny Committee

Associated Minutes of Proceedings

Inquiry into the Births, Deaths and Marriages Registration and Other Legislation Amendment Bill 2018

November 2018



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY
13th Assembly

SOCIAL POLICY SCRUTINY COMMITTEE
MINUTES OF PROCEEDINGS

Meeting No. 27

12.05 pm, Thursday, 1 November 2018
Litchfield Room

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

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

1. MINUTES OF PREVIOUS MEETING

Mrs Finocchiaro moved and Mr Paech seconded that:

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

Question put and passed.

2. ELECTORAL AMENDMENT BILL

Ms Nelson moved and Mrs Lambley seconded that:

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

Question put and passed.

3. BILL REFERRALS

Ms Nelson moved and Mrs Finocchiaro seconded that:

The Committee:

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

Question put and passed.

It was further agreed that:

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

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

4. PETITION REFERRALS

Mrs Finocchiaro moved and Mrs Lambley seconded that:

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

Question put and passed.

Mrs Finocchiaro moved and Mr Paech seconded that:

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

Question put and passed.

5. NEXT MEETING

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

Meeting closed at 12.55 pm



Ms Ngaree Ah Kit, MLA
Chair



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY
13th Assembly

SOCIAL POLICY SCRUTINY COMMITTEE
MINUTES OF PROCEEDINGS

Meeting No. 28

9.00 am, Monday, 19 November 2018
Litchfield Room

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

Secretariat: Julia Knight, Committee Secretary
Russell Keith, First Clerk Assistant
Elise Dyer, Senior Research Officer
Kim Cowcher, Administration Assistant

1. MINUTES OF PREVIOUS MEETING

Mr Paech moved and Mrs Finocchiaro seconded that:

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

Question put and passed.

2. CORRESPONDENCE

Noted

3. PETITIONS

Mrs Finocchiaro moved and Mrs Lambley seconded that:

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

Question put and passed.

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

Mrs Lambley moved and Mrs Finocchiaro seconded that:

The Committee authorise publication of submissions received.

Question put and passed.

5. PUBLIC BRIEFINGS

The following witnesses appeared before the Committee:

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

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

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

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

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

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

Criminal Code Amendment Bill 2018

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

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

Mrs Lambley moved and Mrs Finocchiaro seconded that:

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

Question put and passed.

7. NEXT MEETING

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

Meeting closed at 12.15 pm



**Ms Ngaree Ah Kit, MLA
Chair**



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY
13th Assembly

SOCIAL POLICY SCRUTINY COMMITTEE
MINUTES OF PROCEEDINGS

Meeting No. 29

9.00 am, Wednesday, 21 November 2018
Litchfield Room

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

Secretariat: Julia Knight, Committee Secretary
Russell Keith, First Clerk Assistant
Elise Dyer, Senior Research Officer
Kim Cowcher, Administration Assistant

1. PUBLIC HEARING

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

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

The following witnesses appeared before the Committee:

- Morgan Carpenter: Co-Executive Director, Intersex Human Rights Australia
- Anna Brown: Director of Legal Advocacy, Human Rights Law Centre
- Lee Carnie: Senior Lawyer, Human Rights Law Centre
- Rosalina Curtis, Private Citizen appearing with the Human Rights Law Centre
- Sally Sievers: Northern Territory Anti-Discrimination Commissioner
- Dr Belinda Chaplin: Nurse Researcher Transgender Health and Wellbeing, Charles Darwin University College of Nursing and Midwifery

The hearing concluded at 11.00 am

DELIBERATIVE MEETING

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

Consideration of evidence

The Committee agreed that the Chair's draft report outline the key issues of concern raised in submissions and incorporate the recommendations as agreed to by the Committee for further consideration at its meeting scheduled for Monday 26 November.

Mrs Lambley noted her objection to proposed amendments in the Bill to remove gender specific terms such as husband, wife, de facto partner in favour of gender neutral terms and proposed that the Committee's report recommend that gender specific terms should be retained in the legislation along with the proposed gender neutral terms – this recommendation was not supported by the Committee.

3. CORRESPONDENCE

Mr Paech moved and Ms Ah Kit seconded that:

The Committee authorise publication of the submission to the inquiry into the Births, Deaths and Marriages Registration and Other Legislation Amendment Bill 2018 from Rainbow Territory be authorised for publication.

Question put and passed.

4. NEXT MEETING

Deliberative Meeting: 10.00 am, Monday 26 November 2018 – Consideration of Chair's draft report on the Births, Deaths and Marriages Registration and Other Legislation Amendment Bill 2018.

Meeting closed at 12.30 pm



Ms Ngaree Ah Kit, MLA
Chair



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY
13th Assembly

SOCIAL POLICY SCRUTINY COMMITTEE

MINUTES OF PROCEEDINGS

Meeting No. 30

10.00 am, Monday, 26 November 2018

Litchfield Room

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

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

1. MINUTES OF PREVIOUS MEETINGS

Mr Paech moved and Mrs Lambley seconded that:

The Minutes of Meetings No. 28 of 19 November 2018 and No. 29 of 21 November 2018 be confirmed.

Question put and passed.

2. CORRESPONDENCE

Noted

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

Mr Paech moved and Ms Nelson seconded that:

The Committee adopt the Chair's report *Inquiry into the Births, Deaths and Marriages Registration and Other Legislation Amendment Bill 2018*, subject to confirmation of proposed amendments by email, for tabling in the Assembly on Tuesday 27 November 2018.

Question put and passed.

4. HEALTH PRACTITIONER REGULATION (NATIONAL UNIFORM LEGISLATION) AND OTHER LEGISLATION AMENDMENT BILL 2018

Submission received from the Australian Medical Association Northern Territory Branch (AMA NT) on 14 November 2018. On 26 November 2018 the AMA NT subsequently requested that the submission be withdrawn.

Ms Ah Kit moved and Mr Paech seconded that:

1. The Committee agree to withdraw the submission received from the Australian Medical Association Northern Territory Branch regarding the Health Practitioner Regulation (National Uniform Legislation) and Other Legislation Amendment Bill 2018.
2. That the Committee adopt a 'No Issues Report' on the Health Practitioner Regulation (National Uniform Legislation) and Other Legislation Amendment Bill 2018 for tabling in the Assembly on Tuesday 27 November 2018.

Question put and passed.

5. REVIEW OF SCRUTINY COMMITTEE PROCESS

It was agreed that the Chair would draft a submission to the Standing Orders Committee regarding the review of the scrutiny committee process for consideration by the Committee.

6. NEXT MEETING

Deliberative Meeting: 1.00 pm, Thursday, 29 November 2018.

Meeting closed at 10.35

Ms Ngaree Ah Kit, MLA
Chair