



**LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY**

**Social Policy Scrutiny Committee**

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# **Associated Minutes of Proceedings**

## **Inquiry into the Criminal Code Amendment (Intimate Images) Bill 2017**

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**March 2018**



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY  
13<sup>th</sup> Assembly

SOCIAL POLICY SCRUTINY COMMITTEE  
MINUTES OF PROCEEDINGS

Meeting No.8

10.00 am, Wednesday, 31 January 2018  
Litchfield Room

**Present:** Ms Ngaree Ah Kit MLA, Chair, Member for Karama  
Mrs Robyn Lambley MLA, Deputy Chair, Member for Araluen  
Ms Sandra Nelson MLA, Member for Katherine

**Apologies:** Mrs Lia Finocchiaro MLA, Member for Spillett  
Mr Chansey Paech MLA, Member for Namatjira

**Secretariat:** Julia Knight, Committee Secretary  
Russell Keith, First Clerk Assistant  
Annie McCall, Administration/Research Officer  
Kim Cowcher, Administration Assistant

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1. **MINUTES OF PREVIOUS MEETING**

Ms Nelson moved and Ms Ah Kit seconded that:

The Minutes of Meeting No. 7 of 22 November 2017 be confirmed.

Question put and passed.

2. **CORRESPONDENCE**

Noted

3. **BILL INQUIRIES**

Bill inquiry tracking sheet noted

4. **ICAC (CONSEQUENTIAL AND RELATED AMENDMENTS) BILL**

The Committee considered the draft report and requested that the Committee Secretary circulate an amended version to Committee members for final comments by 12 noon Thursday, 1 February ahead of the deliberative meeting scheduled for 9.00 am Monday, 5 February.

5. **DOMESTIC AND FAMILY VIOLENCE AMENDMENT (INFORMATION SHARING) BILL 2017**

Ms Nelson moved and Mrs Lambley seconded that:

The Committee authorise publication of submissions received.

Question put and passed.

The Chair advised that extensions had been granted to the Department of Health and Alex Richmond (Facilitator of the Domestic and Family Violence Network) to close of business, Thursday 8 February. To facilitate consideration and publication of submissions ahead of the proposed public hearings, it was agreed that the Committee Secretary request that submissions be received by close of business, Wednesday 7 February.

6. **CRIMINAL CODE AMENDEMENT (INTIMATE IMAGES) BILL 2017**

Mrs Lambley moved and Ms Nelson seconded that:

The Committee authorise publication of submissions received.

Question put and passed.

**7. ADOPTION OF CHILDREN LEGISLATION AMENDMENT (EQUALITY) BILL 2017**

Ms Nelson moved and Mrs Lambley seconded that:

The Committee authorise publication of submissions received.

Question put and passed.

**8. PUBLIC BRIEFINGS**

The following witnesses appeared before the Committee:

***Domestic and Family Violence Amendment (Information Sharing) Bill 2017***

- Greg Shanahan: Chief Executive Officer, Dept of the Attorney-General and Justice
- Robert Bradshaw: Director Policy Coordination, Dept of the Attorney-General and Justice
- Laura Berta: Policy Lawyer, Dept of the Attorney-General and Justice

***Criminal Code Amendment (Intimate Images) Bill 2017***

- Greg Shanahan: Chief Executive Officer, Dept of the Attorney-General and Justice
- Jenni Daniel-Yee: Director Legal Policy, Dept of the Attorney-General and Justice
- Fiona Hardy: Senior Policy Lawyer, Dept of the Attorney-General and Justice

***Adoption of Children Legislation Amendment (Equality) Bill 2017***

- Ken Davies: Chief Executive Officer, Territory Families
- Luke Twyford: Executive Director, Strategy, Policy and Performance, Territory Families
- Debra Moore: Senior Adoption Practitioner, Territory Families
- Seranie Gamble: Director Law Reform, Territory Families

**9. NEXT MEETINGS**

Monday, 5 February 2018 at 9.00 am - deliberative meeting to consider/adopt ICAC (Consequential and Related Amendments) Bill report

Thursday, 8 February 2018 at 1.00 pm in the Ormiston Room – deliberative meeting to consider submissions and finalise public hearing schedule.

Meeting closed at 11.55 am



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



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY  
13<sup>th</sup> Assembly

SOCIAL POLICY SCRUTINY COMMITTEE  
MINUTES OF PROCEEDINGS

**Meeting No.10**

1.00 pm, Thursday, 8 February 2018  
Ormiston Room

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

**Secretariat:** Julia Knight, Committee Secretary  
Annie McCall, Administration/Research Officer

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**1. MINUTES OF PREVIOUS MEETING**

Ms Nelson moved and Mrs Finocchiaro seconded that:

The Minutes of Meeting No. 9 of 5 February 2018 be confirmed.

Question put and passed.

**2. MATTERS ARISING FROM MINUTES**

Noted

**3. DOMESTIC AND FAMILY VIOLENCE AMENDMENT (INFORMATION SHARING) BILL**

Mrs Finocchiaro moved and Mrs Lambley seconded that:

The Committee authorise publication of additional submissions received.

Question put and passed

Mr Paech moved and Mrs Finocchiaro seconded that:

The Committee invite representatives from the Department of the Attorney-General and Justice, the Commissioner for Information and Public Interest Disclosures, the Northern Territory Legal Aid Commission, the Central Australian and the Top End Women's Legal Services, the Domestic and Family Violence Network and the Department of Health to appear before the Committee at its public hearing on Wednesday, 14 February 2018.

It was further agreed that the Committee Secretary would draft questions to be provided to the Department of the Attorney-General and Justice, following approval of the Chair, for consideration ahead of the hearing, requesting that responses be provided in writing.

**4. CRIMINAL CODE AMENDMENT (INTIMATE IMAGES) BILL 2017**

Mrs Lambley moved and Mr Paech seconded that:

The Committee authorise publication of the additional submission received.

Question put and passed.

Mrs Finocchiaro moved and Ms Nelson seconded that:

The Committee invite representatives from the Department of the Attorney-General and Justice, the Commissioner for Information and Public Interest Disclosures, the Northern Territory Legal Aid Commission, the Top End Women's Legal Service, RMIT and Monash Universities and Mr Rhys Michie to appear before the Committee at its public hearing on Wednesday, 14 February 2018.

Question put and passed.

It was further agreed that the Committee Secretary would draft questions to be provided to the Department of the Attorney-General and Justice, following approval of the Chair, for consideration ahead of the hearing, requesting that responses be provided in writing.

**5. ADOPTION OF CHILDREN LEGISLATION AMENDMENT (EQUALITY) BILL**

Ms Nelson moved and Mrs Lambley seconded that:

The Committee's report acknowledge the views expressed in the submissions received and recommend that the Assembly pass the Bill.

Question put and passed

**6. OTHER BUSINESS**

***Committee Communication on Bill Referrals***

Subject to the provisions of Standing Order 194, it was agreed that the Chair would keep the relevant Minister informed of the Committee's progress regarding Bill inquiries. It was further agreed that all communication from the Committee be addressed to the responsible Minister and cc'd to the Chief Executive Officer of the relevant Department.

***Draft Inquiry Plan – Animal Protection Bill***

Mrs Finocchiaro moved and Mr Paech seconded that the Committee:

- a) call for submissions on its inquiry into the Animal Protection Bill 2018 to be received by Friday, 9 March 2018, and
- b) write to the Minister for Primary Industry and Resources requesting a contact officer in relation to the Bill and inviting representatives from the Department to appear before the Committee at a public briefing from 3.00 pm to 3.30 pm on Monday, 19 February 2018.

**7. NEXT MEETING**

Public Hearing: 9.00 am - 4.30 pm, Wednesday, 14 February 2018 (end time to be confirmed following scheduling of witnesses)

Meeting closed at 1.55 pm



**Ms Ngaree Ah Kit, MLA  
Chair**



# LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

13<sup>th</sup> Assembly

## SOCIAL POLICY SCRUTINY COMMITTEE

### MINUTES OF PROCEEDINGS

#### Meeting No.11

9.00 am, Wednesday, 14 February 2018

Litchfield Room

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

#### 1. PUBLIC HEARING

##### ***Domestic and Family Violence Amendment (Information Sharing) Bill***

The following witnesses appeared before the Committee:

- Fiona Hussin: Deputy Director, Northern Territory Legal Aid Commission  
Annabel Pengilly: Managing Solicitor, Domestic Violence legal Service
- Janet Taylor: Managing Principal Solicitor, Central Australian Women's Legal Service
- Annabel Pengilly: Managing Solicitor, Domestic Violence legal Service  
Susan Crane: Executive Director, Dawn House Inc.  
Alex Richmond: Facilitator, Domestic and Family Violence Network
- Robert Bradshaw: Director Policy Coordination, Department of the Attorney-General and Justice  
Laura Berta: Policy Lawyer, Department of the Attorney-General and Justice

##### ***Criminal Code Amendment (Intimate Images) Bill***

The following witnesses appeared before the Committee:

- Russell Goldflam: Barrister and Solicitor, Northern Territory Legal Aid Commission
- Dr Nicola Henry: Associate Professor, Social and Global Studies Research Centre, RMIT University  
Dr Asher Flynn: Senior Lecturer Criminology, Monash University
- Vanessa Lethlean: Managing Solicitor, Top End Women's Legal Service  
Caitlin Weatherby-Fell, Solicitor, Top End Women's Legal Service
- Mr Rhys L. G. Michie
- Jenni Daniel-Yee: Director Legal Policy, Department of the Attorney-General and Justice  
Fiona Hardy: Senior Policy Lawyer, Department of the Attorney-General and Justice

The Committee adjourned at 4.30 pm

**Ms Ngaree Ah Kit, MLA  
Chair**



**LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY**  
13<sup>th</sup> Assembly

**SOCIAL POLICY SCRUTINY COMMITTEE**  
**MINUTES OF PROCEEDINGS**

**Meeting No.12**

1.00 pm, Monday, 19 February 2018  
Litchfield Room

**Present:** Ms Ngaree Ah Kit MLA, Chair, Member for Karama  
Ms Sandra Nelson MLA, Member for Katherine  
Mrs Lia Finocchiaro MLA, Member for Spillett

**Apologies:** Mrs Robyn Lambley MLA, Deputy Chair, Member for Araluen  
Mr Chansey Paech MLA, Member for Namatjira

**Secretariat:** Julia Knight, Committee Secretary  
Annie McCall, Administration/Research Officer

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**1. MINUTES OF PREVIOUS MEETING**

Mrs Finocchiaro moved and Ms Nelson seconded that:

The Minutes of Meeting No. 10 of 8 February 2018 be confirmed.

Question put and passed.

Ms Nelson moved and Mrs Finocchiaro seconded that:

The Minutes of Meeting No. 11 (Public Hearing) of 14 February 2018 be confirmed.

Question put and passed.

**2. CORRESPONDENCE**

Mrs Finocchiaro moved and Ms Nelson seconded that:

The Committee authorise publication of the answers to the Committee's written questions on the Domestic and Family Violence Amendment (Information Sharing) Bill and the Criminal Code Amendment (Intimate Images) Bill received from the Attorney-General and Minister for Justice on 13 February 2018, subject to the Department's consent.

Question put and passed.

**3. DOMESTIC AND FAMILY VIOLENCE AMENDMENT (INFORMATION SHARING) BILL**

Ms Nelson moved and Mrs Finocchiaro seconded that:

The Chair's draft report detail the concerns raised by witnesses and recommend that the Bill not be passed until key stakeholders have been consulted appropriately and given an opportunity to comment on the proposed legislation, guidelines and regulations.

Question put and passed.

**4. CRIMINAL CODE AMENDMENT (INTIMATE IMAGES) BILL**

Mrs Finocchiaro moved and Ms Nelson seconded that:

The Chair's draft report incorporate proposed recommendations for further consideration by the Committee.

Question put and passed.

**5. ANIMAL PROTECTION BILL**

Inquiry plan finalised – Committee Secretary to schedule meetings accordingly.

**6. PUBLIC BRIEFING – ANIMAL PROTECTION BILL**

The following witnesses from the Department of Primary Industry and Resources appeared before the Committee:

Alistar Trier: Chief Executive

Michelle Rodan: Director Biosecurity and Animal Welfare

Peter Zeroni: Director Policy and Legislation

Peter Phillips: Director Animal Welfare

**7. NEXT MEETING**

Deliberative Meeting: 9.00 am, Monday 5 March 2018 – consideration of draft reports

Meeting closed at 3.35 pm



**Ms Ngaree Ah Kit, MLA  
Chair**



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY  
13<sup>th</sup> Assembly

SOCIAL POLICY SCRUTINY COMMITTEE  
MINUTES OF PROCEEDINGS

**Meeting No.13**

2.00 pm, Wednesday, 7 March 2018  
Litchfield Room

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

**Apologies:** Mr Chansey Paech MLA, Member for Namatjira

**Secretariat:** Julia Knight, Committee Secretary  
Annie McCall, Administration/Research Officer

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**1. MINUTES OF PREVIOUS MEETING**

Ms Nelson moved and Mrs Finocchiaro seconded that:

The Minutes of Meeting No. 13 of 19 February 2018 be confirmed.

Question put and passed.

**2. CORRESPONDENCE**

Noted

**3. ADOPTION OF CHILDREN LEGISLATION AMENDMENT (EQUALITY) BILL**

Ms Nelson moved and Mrs Lambley seconded that:

The Committee adopt the Chair's draft report: *Inquiry into the Adoption of Children Legislation Amendment (Equality) Bill 2017*.

Question put and passed.

**4. CRIMINAL CODE AMENDMENT (INTIMATE IMAGES) BILL**

Consideration of Chair's draft report – Members agreed to provide any proposed changes to the Committee Secretary by close of business Thursday, 8 March for consideration at the next meeting.

**5. DOMESTIC AND FAMILY VIOLENCE AMENDMENT (INFORMATION SHARING) BILL**

Consideration of Chair's draft report – Members agreed to provide any proposed changes to the Committee Secretary by close of business Thursday, 8 March for consideration at the next meeting.

**6. OTHER BUSINESS**

***Animal Protection Bill Inquiry:*** submissions close Friday, 9 March. Following two requests for extensions the Committee agreed that, where requested, the Committee would accept late submissions. However, all submissions must be with the Committee by close of business, Monday 19 March for consideration at the Committee's meeting scheduled for 22 March.


***Bill Scrutiny Process:*** given time constraints, the Chair canvassed members' views on whether public briefings with Departments could be replaced by a written questions process. Members noted that, to date, they had found the public briefings very useful and were of the view that the current Bill scrutiny process was very robust and should be maintained.

**Public Hearings:** the Chair reminded members that they could hold public hearings on Wednesday mornings of sitting weeks. While it was agreed that this could be beneficial, members determined that holding a public hearing on the Animal Protection Bill during the March sittings was not feasible given the submission due date. It was also noted that it was anticipated that a full day would be required for hearing from witnesses on this particular Bill.

**7. NEXT MEETING**

Deliberative Meeting: 9.00 am, Monday, 12 March 2018 – adoption of draft reports

Meeting closed at 2.35 pm



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



**LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY**  
13<sup>th</sup> Assembly

**SOCIAL POLICY SCRUTINY COMMITTEE**

**MINUTES OF PROCEEDINGS**

**Meeting No.14**

9.00 am, Monday, 12 March 2018

Litchfield Room

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

**Secretariat:** Julia Knight, Committee Secretary  
Annie McCall, Administration/Research Officer

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**1. MINUTES OF PREVIOUS MEETING**

Ms Nelson moved and Mrs Finocchiaro seconded that:

The Minutes of Meeting No. 13 of 7 March 2018 be confirmed.

Question put and passed.

**2. CRIMINAL CODE AMENDMENT (INTIMATE IMAGES) BILL**

Ms Nelson moved and Mr Paech seconded that:

The Committee adopt the Chair's draft report: *Inquiry into the Criminal Code Amendment (Intimate Images) Bill 2017* as amended.

Question put and passed.

**3. DOMESTIC AND FAMILY VIOLENCE AMENDMENT (INFORMATION SHARING) BILL**

Mrs Finocchiaro moved and Mrs Lambley seconded that:

The Committee adopt the Chair's draft report: *Inquiry into the Domestic and Family Violence Amendment (Information Sharing) Bill 2017* as amended.

Question put and passed.

**4. NEXT MEETING**

Deliberative Meeting: 12.00 pm, Thursday, 22 March 2018

Meeting closed at 9.27 am

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