



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

Social Policy Scrutiny Committee

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## **Associated Minutes of Proceedings**

# **Inquiry into Independent Commissioner Against Corruption Bill 2017**

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November 2017



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

**SOCIAL POLICY SCRUTINY COMMITTEE**

**MINUTES OF PROCEEDINGS**

**Meeting No. 1**

9.00 am, Tuesday, 29 August 2017  
Ormiston Room

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

**Secretariat:** Julia Knight Committee Secretary  
Russell Keith, First Clerk Assistant  
Elise Dyer, Senior Research Officer  
Annie McCall, Administration/Research Officer

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**1. ELECTION OF THE CHAIR**

The Secretary called for nominations for Chair.

Ms Nelson nominated Ms Ah Kit to be Chair of the Committee. Mr Paech seconded the nomination.

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

**2. ELECTION OF DEPUTY CHAIR**

The Chair called for nominations for Deputy Chair.

Mrs Finocchiaro nominated Mrs Lambley to be the Deputy Chair of the Committee. Mr Paech seconded the nomination.

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

**3. PROCEDURAL RESOLUTIONS**

The Committee agreed that:

Pursuant to Standing Order 194(1), the Committee authorises the publication of public hearing transcripts after witnesses have had 3 business days to make any corrections.

Pursuant to Standing Order 194(4), the Committee authorises the Chair of the Committee to issue media releases and give briefings on matters relating to its inquiry.

**4. COMMITTEE'S TERMS OF REFERENCE**

Noted

**5. INQUIRY INTO ICAC BILL**

The Committee agreed to:

1. Call for submissions, to be received by Friday, 29 September 2017 by:
  - a) issuing the media release at Attachment A;

- b) advertising via the NT News, Tennant Creek District Times, Centralian Advocate, Katherine Regional Times, Legislative Assembly website, Facebook and Twitter at Attachment B as amended;
  - c) providing a copy of the advertisement to all Members for inclusion in Electorate newsletters and offices;
  - d) writing to stakeholders in the terms of letter at Attachment C as amended. Members to provide contact details of additional stakeholders to Committee Secretary by 12 noon, Wednesday, 30 August.
2. refer the ICAC Bill to Professor Ned Aughterson for review of fundamental legislative principles.
  3. write to the Attorney-General and Minister for Justice seeking briefing materials from the Government including submissions received in response to consultations to date in the terms of the letter at Attachment D.

**6. NEXT MEETING**

Next meeting to be held at 9.00 am, Wednesday, 4 October 2017.

Meeting closed at 9.55 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. 2

9.00 am, Wednesday, 4 October 2017  
Litchfield Room

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

**Apologies** Mrs Lia Finocchiaro MLA, Member for Spillett

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

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1. **MINUTES OF PREVIOUS MEETING**

Ms Nelson moved and Mr Paech seconded that:

The Minutes of Meeting Number 1 of 29 August 2017 be confirmed.

Question put and passed.

2. **NETWORK ACCESS TO COMMITTEE PAPERS**

Mr Paech and Mrs Lambley advised that they do not have network access

The Committee Secretary to provide details for the IT contact person to Mrs Lambley and Mr Paech.

3. **CORRESPONDENCE**

Noted.

4. **INQUIRY INTO ICAC BILL**

Mr Paech moved and Ms Nelson seconded that:

(a) The Committee authorise publication of submissions 1 – 9 and 11.

Question put and passed.

Ms Nelson moved and Mrs Lambley seconded that:

(b) The Committee declare submission 10 confidential and not for publication.

Question put and passed.

Ms Nelson moved and Mrs Lambley seconded that:

(c) The Committee invite representatives of the Department of the Attorney-General and Justice to appear before the Committee at its Public Hearing on Monday, 9 October 2017.

Question put and passed.

Ms Nelson moved and Mrs Lambley seconded that:

(c) The Committee provide a copy of proposed questions for witnesses to the Department of the Attorney-General and Justice for consideration ahead of the public hearing.

Question put and passed.

The Committee further agreed that:

1. Committee members advise the Chair which submissions they'd like to ask questions of during the Public Hearing on Monday, 9 October.
2. The Chair to advise the Committee Secretary of the submissions that the Committee would like to ask questions of.
3. The Committee Secretary to invite the authors of the submissions that the Committee would like to ask questions of to appear before the Committee at its Public Hearing on Monday, 9 October.
4. The Committee Secretary to email proposed questions for the Department of the Attorney-General and Justice to committee members for approval.
5. Following approval of questions, the Committee Secretary to provide a copy to the Department of the Attorney-General and Justice to prepare for the Public Hearing on Monday, 9 October.

**5. NEXT MEETING**

Public Hearing to be held from 8:30 am to 4:30 pm, Monday, 9 October 2017 unless earlier convened by the Chair.

Meeting closed at 9.30 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. 3 – Public Hearing

8.40 am, Monday, 9 October 2017

Litchfield Room

<b>Present:</b>	Ms Ngaree Ah Kit MLA, Member for Karama Mr Chansey Paech MLA, Member for Namatjira Ms Sandra Nelson MLA, Member for Katherine Mrs Robyn Lambley MLA, Member for Araluen Mrs Lia Finocchiaro MLA, Member for Spillett
<b>Substitute Member</b>	Ms Selena Uibo MLA, Member for Arnhem for Ms Sandra Nelson MLA, Member for Katherine – 1.00 pm to 1.50 pm
<b>Secretariat:</b>	Julia Knight, Committee Secretary Russell Keith, First Clerk Assistant Elise Dyer, Senior Research Officer Annie McCall, Administration/Research Officer

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#### 1. PUBLIC HEARING - ICAC BILL INQUIRY

The following witness appeared before the Committee:

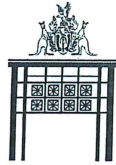
- Mr Scott Beaton – NT Resident
- Mr Alan MacSporran QC: Chair, Crime and Corruption Commission QLD
- Hon. Bruce Iander QC: Independent Commissioner Against Corruption SA
- Mr Richard Bingham: Chief Executive Officer, Integrity Commission TAS
- Mr John Hyde: Chair, Global Organisation of Parliamentarians Against Corruption Oceania Region
- Mr Peter Shoyer: Ombudsman NT  
Mr Craig Allen: Commissioner for Public Employment  
Ms Brenda Monaghan: Commissioner for Public Interest Disclosures
- Mr Greg Shanahan: Chief Executive Officer, Department of the Attorney-General and Justice  
Mr Robert Bradshaw: Director, Policy Coordination, Department of the Attorney-General and Justice  
Ms Caroline Heske: Senior Policy Lawyer, Department of the Attorney-General and Justice.

#### 2. TABLED PAPER

TP1 - Department of the Attorney-General and Justice - Responses to Questions re ICAC Bill - 9 October 2017

Hearing Closed at 1.50 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. 4**

12.00 pm, Thursday, 12 October 2017  
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 (left meeting at 12.35 pm)

**Secretariat:** Julia Knight, Committee Secretary  
Russell Keith, First Clerk Assistant  
Elise Dyer, Senior Research Officer  
Annie McCall, Administration Officer/Research Officer

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**1. MINUTES OF PREVIOUS MEETING**

Mr Paech moved and Mrs Lambley seconded that:

The Minutes of Meeting No. 2 of 4 October 2017 be confirmed.

Question put and passed.

Mrs Finocchiaro moved and Mr Paech seconded that:

The Minutes of Meeting No. 3 of 9 October 2017 be confirmed.

Question put and passed.

**2. MATTERS ARISING FROM MINUTES**

Mrs Finocchiaro moved and Mrs Lambley seconded that:

The Committee authorise publication of the answers to the Committee's questions tabled by the Department of the Attorney-General and Justice at the Public Hearing on 9 October 2017, subject to the Department's consent.

Question put and passed.

**3. CORRESPONDENCE**

The Committee agreed that the Chair would seek the Commissioner of Public Interest Disclosure's consent to publish her letter regarding proposed amendments to the ICAC Bill.

**4. INQUIRY INTO ICAC BILL**

The Committee considered the evidence received and potential amendments to the Bill. For further discussion at the next meeting.

**5. NEXT MEETING**

12.00 pm, Wednesday, 18 October 2017

Meeting closed at 1.15 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. 5**

12.00 pm, Wednesday, 18 October 2017  
Litchfield Room

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

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**1. MINUTES OF PREVIOUS MEETING**

Mr Paech moved and Ms Nelson seconded that:

The Minutes of Meeting No. 4 of 12 October 2017 be confirmed.

Question put and passed.

**2. MATTERS ARISING FROM MINUTES**

Following confirmation from the Department of the Attorney-General and Justice that they endorsed publication of their answers to the Committee's questions provided at the public hearing of 9 October 2017, the Committee Secretary advised that this document has now been published on the Committee's website.

**3. CORRESPONDENCE**

Noted

Mrs Finocchiaro moved and Mr Paech seconded that:

The Committee authorise publication of Submission No. 12

Question put and passed.

**4. INQUIRY INTO ICAC BILL**

Mrs Finocchiaro moved and Ms Nelson seconded that:

The Committee:

1. Endorse the proposed amendments for drafting and inclusion in the Committee's report.
2. Endorse the proposed recommendations for inclusion in the Committee's report.
3. Write to the Attorney-General to request that the Committee be able to access the assistance of the Office of the Parliamentary Counsel in the drafting of proposed amendments.

Question put and passed.

**5. INQUIRY INTO MISUSE OF DRUGS AMENDMENT BILL**

Mrs Finocchiaro moved and Mr Paech seconded that:

The Committee agrees to call for submissions, to be received by Wednesday, 8 November, by:

- a) issuing a media release,
- b) advertising via the Legislative Assembly website, Facebook and Twitter,
- c) issuing a notification via the Committee's email subscription service.

Question put and passed.

**6. STANDARD PROCEDURES FOR BILL INQUIRIES**

Mrs Finocchiaro moved and Ms Nelson seconded that:

The Committee adopts the following standard procedure for inquiries into Bills referred by the Assembly:

1. The Committee will call for submissions on the Bill to be due by the Wednesday in the second week before the next sittings of the Assembly;
2. Following the end of a sittings period, the Chair of the Committee will issue a notice listing the bills on which the Committee is calling for submissions and the date by which submissions are due;
3. Notices calling for submissions will be distributed on the Assembly's website, by email to subscribers of the committee email alert service, by Facebook and Twitter posts, by media release, and by email or letter to persons and organisations determined by the Chair following consultation by email with Committee Members;
4. After the due date for submissions, the Chair will determine whether and when to hold public hearings and who shall be invited to appear at the hearings, following consultation with Committee Members;
5. Unless circumstances require otherwise, the public hearings will be held on Wednesday mornings of sittings weeks;
6. If any Member wishes to amend this standard procedure for a particular bill, they shall advise the Chair who will then convene a meeting to consider that Bill's inquiry process at the earliest convenient opportunity.

Question put and passed.

**7. OTHER BUSINESS**

Mr Paech raised the issue of whether the Committee Office had sufficient resources to deal with the additional workload arising from Bill referrals. The First Clerk Assistant advised that the Department was currently considering its prioritisation of resources. The Chair further noted that this issue needs to be included in the proposed review of the Bill referral process.

**8. NEXT MEETING**

9.00 am, Friday, 10 November 2017

Meeting closed at 1.01 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. 6**

9.00 am, Friday, 10 November 2017  
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

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**1. MINUTES OF PREVIOUS MEETING**

Mrs Finocchiaro moved and Ms Nelson seconded that:

The Minutes of Meeting No. 5 of 18 October 2017 be confirmed.

Question put and passed.

**2. CORRESPONDENCE**

Noted

**3. INQUIRY INTO ICAC BILL**

Mrs Finocchiaro moved and Ms Nelson seconded that:

1. The Committee adopt the Inquiry into the Independent Commissioner Against Corruption Bill 2017 report subject to minor amendments to be confirmed by email.
2. The Committee table the report with the Speaker on Wednesday 15 November 2017 pursuant to Standing Order 200(4) and circulate to all Members for consideration ahead of the November meeting period.

Question put and passed.

**4. BILL REFERRALS**

***Misuse of Drugs Amendment Bill***

Ms Nelson moved and Mrs Finocchiaro seconded that:

The Committee adopt the 'No Issues Report' for the Misuse of Drugs Amendment Bill 2017 for tabling in the November meeting period.

Question put and passed

***Parks and Wildlife Commission Amendment Bill***

- As no submissions were received the Committee agreed to write to key stakeholders giving them a further opportunity to provide any comments they may have in relation to the proposed amendments – in particular the removal of the mandatory requirement that the Minister must establish an advisory council – by Friday 17 November 2017.

Question put and passed

***ICAC (Consequential and Related Amendments) Bill 2017***

Mrs Finocchiaro moved and Ms Nelson seconded that:

The Committee forward the legal advice to the Attorney-General and Minister for Justice for consideration and comment by Friday, 17 November 2017.

Question put and passed.

**5. NEXT MEETING**

9.00 am, Wednesday, 22 November 2017 in the Ormiston Room

Meeting closed at 10.00 am

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