



Matters of public importance—your Assembly @ work

Sitting of 23 July 2020

Issue 9/2020

Government Business

Includes business items presented to the Assembly by the Executive including bills, motions, and papers

Bills introduced

[Adoption Amendment Bill 2020](#)

Summary: This bill will amend the *Adoption Act 1993* by changing the current provisions that are used by the Court when considering whether to dispense with the requirement for parental consent for an adoption and by including provisions to place the best interests of the child or young person at the centre of decision-making about dispensing with parental consent. The bill will also change the residency requirement that is currently set out in the Act for adoption orders that relate to an adult prospective adoptee.

[Births, Deaths and Marriages Registration Amendment Bill 2020](#)

Summary: This bill will amend the *Births, Deaths and Marriages Registration Act 1997* by removing certain barriers for trans, intersex and gender diverse young people when changing their given name or particulars about gender identity to better reflect their gender identities and enable the obtaining of an updated birth certificate or a recognised details certificate. The bill also introduces provisions to allow the Registrar-General to issue integrated birth certificates to enable individuals, who were born in the ACT and adopted, to apply for a birth certificate that includes the details of both birth parents and adoptive parents. Provisions in the bill will also permit, in some situations, for the issuing of integrated birth certificates where a person born overseas is adopted in the ACT.

[Education Amendment Bill 2020](#)

Summary: This bill will amend the *Education Act 2004* and the *Education Regulation 2005* by providing clarity to the roles and responsibilities of people carrying a duty of care to children and young people in schools, and ensuring that the most vulnerable students are protected by implementing a recommendation from the Royal Commission into Institutional Responses to Child Sexual Abuse. The bill will strengthen the Government's ability to enforce the attendance of non-ACT residents enrolled in ACT schools. The bill also enables parental and local citizen engagement on school boards, where a school does not have a current parent and citizen arrangement.

[Public Health Amendment Bill 2020 \(No 2\)](#)

Summary: This bill will amend the *Public Health Act 1997* by inserting provisions to allow the relevant Minister to determine a quarantine fee that may be incurred by a person required to quarantine at a place other than the person's home because of COVID-19.

Bills debated

[Confiscation of Criminal Assets \(Unexplained Wealth\) Amendment Bill 2020](#)

Summary: This bill will amend the *Confiscation of Criminal Assets Act 2003* to allow for the restraint and, ultimately, the forfeiture of property by a person connected to a serious criminal offence, where that person cannot show their wealth was acquired lawfully. The unexplained wealth scheme created by this bill will provide for two types of orders, unexplained wealth restraining orders and unexplained wealth orders.

Proceedings: During debate on 23 July both the Opposition and ACT Greens outlined reasons for supporting the proposed legislation and the bill was agreed to in principle.

The bill was passed by the Assembly without amendment.

[Coroners Amendment Bill 2020](#)

Summary: This bill will amend the *Coroners Act 1997* by including provisions to better meet the needs of families who find themselves within a coronial process. The bill also amends the Act by making it easier for the Coroners Court to implement restorative approaches in its daily practice.

Proceedings: The proposed legislation received tri-partisan support when debate resumed on 23 July and was agreed to in principle.

The bill was passed by the Assembly without amendment.

[Royal Commission Criminal Justice Legislation Amendment Bill 2020](#)

Summary: This bill will make amendments to Territory laws to implement a number of recommendations made by the *Royal Commission into Institutional Response to Child Sexual Abuse*. The amendments relate to provisions in the *Crimes Act 1900* concerning a sexual relationship with a child or young person under special care, the tendency and coincidence evidence provisions in the *Evidence Act 2011* and clarify the status of disclosures in the setting of a religious confessional. The bill also proposes further amendments to the *Evidence Act 2011* in relation to reporting laws.

Proceedings: When debate resumed on 23 July, both the Opposition and ACT Greens indicated support for the proposed legislation. The bill was agreed to in principle.

The Royal Commission Criminal Justice Legislation Amendment Bill 2020 was passed by the Assembly without amendment.

[Victims Rights Legislation Amendment Bill 2020](#)

Summary: This bill will amend the *Victims of Crime Act 1994* by replacing the 'government principles for the treatment of victims of crime in the administration of justice' with a Charter of Rights for Victims of Crime. The bill also amends the *Victims of Crime Act 1994* and the *Human Rights Commission Act 2005* by introducing an accountability framework in the Acts that will provide victims with access to processes

for making justice agency complaints and raising victims' rights concerns where a victim right in the Victims of Crime Charter has not been upheld by an obligated agency.

Proceedings: The Opposition indicated support for this bill when debate resumed on 23 July and outlined its reasons for doing so. The bill was agreed to in principle.

A number of amendments were moved by the Government during the detail stage to clarify the circumstances in which information about orders relating to an offender's mental health can be provided to a victim. The amendments were agreed to.

The amended bill was passed by the Assembly.

Ministerial statements

On 23 July the Minister for Health updated the Assembly on the **ACT Government's response to the COVID-19 emergency**. During the statement the Minister presented a report by the Acting Chief Health Officer entitled *Status of the public health emergency due to COVID-19*.

The Minister for the Prevention of Domestic and Family Violence made a statement on 23 July providing the Assembly with the fourth annual **Safer Families** statement.

Building reforms was the subject of a ministerial statement made by the Minister for Building Quality Improvement on 23 July.

A full record of the debates and statement can be accessed at [Hansard](#).

Crossbench Executive Members' Business

Motion debated

Implementation of **bet limits and load up limits for poker machines** was the subject of a motion moved by Mr Rattenbury MLA on 23 July. The motion included noting the significant social cost of problem gambling and noted that even policy measures with modest efficacy in reducing harm would often be worthwhile. The motion also called on the Government to work with poker machine venues to implement bet limits of \$5 per spin and a \$100 load up limit. During debate the Opposition outlined reasons for not supporting the motion. An amendment was moved by the Government that included noting that it had reduced the number of poker machine authorisations during its current term and had also adopted a public health approach to addressing gambling harm. The amendment included calling on the Government to work in close consultation with clubs, experts, the community and people with lived experience on further evidence-based harm minimisation measures. The Opposition indicated support for the Government's amendment which was agreed to following a vote of the Assembly on one part of the proposed amendment.

The amended motion was passed.

The full terms of the above motion and the proposed amendment can be found in the [Minutes of Proceedings](#).

Private Members' Business

Includes items presented to the Assembly by all non-Executive Members, including bills and motions

Motions debated

A motion calling on the Government to **release more affordable land** to enable Canberrans to buy a house and land package for a combined cost of less than \$750 000 was the subject of a motion moved by Mr Coe MLA on 23 July. The motion included noting that very few families would be able to take advantage of the Commonwealth Government's HomeBuilder program for free-standing homes due to a lack of affordable land in Canberra. An amendment moved by the Government included noting that the ACT Government had worked with the Commonwealth Government, following the announcement of the HomeBuilder program, to ensure those in the Territory who could meet the eligibility criteria would gain access to the Commonwealth Scheme. The amendment also called on the Government to continue to implement its affordable housing agenda and work towards further diversifying housing choice consistent with the ACT Housing Strategy. During debate the ACT Greens outline reasons for not supporting the original motion moved by Mr Coe and indicated support for the Government's amendment. The amendment was passed by the Assembly following a vote.

The amended motion was agreed to.

A motion was moved by Mr Hanson MLA on 23 July calling on the Government to urgently introduce **anti-consorting legislation** to help prevent outlaw motorcycle gang violence in the Territory. In moving the motion Mr Hanson detailed his reasons for doing so including a recent death of a motorcycle gang member. During debate the Government moved an amendment that included noting that anti-consorting laws had not prevented the operation of serious criminal gangs in other States and also included calling on the Government to continue to use evidence to lead its policy and legislative approach to crime. The ACT Greens stated, during debate, that they would not be supporting the motion moved by Mr Hanson as they did not agree that anti-consorting laws are an effective way to combat issues with outlaw motorcycle gangs. The Government's amendment was passed following a vote of the Assembly.

The amended motion was agreed to.

The full terms of the above motions and amendments can be found in the [Minutes of Proceedings](#).

Papers Presented

The following papers of interest were presented on 2 July 2020:

- Coroner's Act—
 - Report of Coroner into the death of Jandy Renia Shea
 - Government's response to Coroner's report into the death of Jandy Renia Shea
- Fertility preservation—Correspondence to the Speaker from the Minister for Health providing update on resolution of the Assembly of 18 September 2019
- Tree canopy protection—Government response to resolution of the Assembly of 25 October 2017

- Government responses to reports of reviews of critical incidents by the ACT Inspector of Correctional Services—
- Assault of a detainee at the Alexander Maconochie Centre on 5 December 2019
- Assault of a detainee at the Alexander Maconochie Centre on 13 January 2020

A copy of the above papers can be found on the [Assembly](#) website.

Committee Activities

Committee reports presented

Economic Development and Tourism—Standing Committee

[Report 9—Inquiry into Building Quality](#)

Scrutiny Committee

[Scrutiny Report 46](#)

This report contained the committee’s comments on two bills, 20 pieces of subordinate legislation and one government response.

Government responses to committee reports

Economic Development and Tourism—Standing Committee

Report 8—Report into Annual and Financial Reports 2018-2019—Government response

Education, Employment and Youth Affairs—Standing Committee

Report 8—Report on Annual and Financial Reports 2018-2019—Government response

Environment and Transport and City Services—Standing Committee

Report 11—Inquiry into the supply of water to the Tharwa community—Correspondence advising of delay of Government response

Report 12—Report on Annual and Financial Reports 2018-2019—Government response

Health, Ageing and Community Services—Standing Committee

Report 8—Report on Annual and Financial Reports 2018-2019—Government response

Justice and Community Safety—Standing Committee

Report 8—Report on Annual and Financial Reports 2018-2019—Government response

Planning and Urban Renewal—Standing Committee

Report 11—Report on Annual and Financial Reports 2018-2019—Government response

Public Accounts—Standing Committee

Report 9—Inquiry into Annual and Financial Reports 2018-19—Government response

Members of the Legislative Assembly for the ACT

Electorate of Brindabella

Ms Joy Burch (Australian Labor Party)
Mr Mick Gentleman (Australian Labor Party)
Ms Nicole Lawder (Canberra Liberals)
Mr Mark Parton (Canberra Liberals)
Mr Andrew Wall (Canberra Liberals)

Electorate of Ginninderra

Ms Yvette Berry (Australian Labor Party)
Ms Tara Cheyne (Australian Labor Party)
Mrs Vicki Dunne (Canberra Liberals)
Mrs Elizabeth Kikkert (Canberra Liberals)
Mr Gordon Ramsay (Australian Labor Party)

Electorate of Kurrajong

Mr Andrew Barr (Australian Labor Party)
Miss Candice Burch (Canberra Liberals)
Ms Elizabeth Lee (Canberra Liberals)
Mr Shane Rattenbury (ACT Greens)
Ms Rachel Stephen-Smith (Australian Labor Party)

Electorate of Murrumbidgee

Ms Bec Cody (Australian Labor Party)
Mr Jeremy Hanson CSC (Canberra Liberals)
Mrs Giulia Jones (Canberra Liberals)
Ms Caroline Le Couteur (ACT Greens)
Mr Chris Steel (Australian Labor Party)

Electorate of Yerrabi

Mr Alistair Coe (Canberra Liberals)
Mr Deepak Gupta (Australian Labor Party)
Mr James Milligan (Canberra Liberals)
Ms Suzanne Orr (Australian Labor Party)
Mr Michael Pettersson (Australian Labor Party)

Next Sitting

Thursday, 30 July 2020.

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