



Legislative Assembly for the Australian Capital Territory

2020-2021

Notice Paper

No 28

Wednesday, 10 November 2021

The Assembly meets this day at 10 am

EXECUTIVE BUSINESS

Notices

- *1 **MR GENTLEMAN, MR STEEL:** To present a Bill for an Act to amend the *Government Procurement Act 2001* and the *Government Procurement Regulation 2007*. (Notice given 9 November 2021).
- *2 **MS STEPHEN-SMITH:** To present a Bill for an Act to amend the *Public Health Act 1997*, and for other purposes. (Notice given 9 November 2021).
- *3 **MR BARR:** To move—That, in accordance with section 12 of the *Government Agencies (Campaign Advertising) Act 2009*, this Assembly approves the appointment of Mr William ‘Bill’ Campbell AO PSM QC as Acting Independent Reviewer – ACT Government Campaign Advertising for a period of three years commencing 12 November 2021. This appointment is effective in instances when the Independent Reviewer – ACT Government Campaign Advertising cannot for any reason exercise the functions of the position. (Notice given 9 November 2021. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).

Orders of the day

- 1 **PLANNING AND UNIT TITLES LEGISLATION AMENDMENT BILL 2021:** *(Minister for Planning and Land Management): Agreement in principle—Resumption of debate (from 8 October 2021—Mr Parton).*
 - 2 **CITY RENEWAL AUTHORITY AND SUBURBAN LAND AGENCY AMENDMENT BILL 2021:** *(Minister for Housing and Suburban Development): Agreement in principle—Resumption of debate (from 6 October 2021—Mr Cain).*
 - 3 **APPROPRIATION BILL 2021-2022:** *(Treasurer): Agreement in principle—Resumption of debate (from 8 October 2021—Mr Gentleman). (Referred to standing committees on 8 October 2021 for report by 12 November 2021.)*
 - 4 **APPROPRIATION (OFFICE OF THE LEGISLATIVE ASSEMBLY) BILL 2021-2022:** *(Treasurer): Agreement in principle—Resumption of debate (from 8 October 2021—Mr Gentleman). (Referred to standing committees on 8 October 2021 for report by 12 November 2021.)*
 - 5 **COAG LEGISLATION AMENDMENT BILL 2021:** *(Chief Minister): Agreement in principle—Resumption of debate (from 4 August 2021—Ms Lee).*
 - 6 **ROAD TRANSPORT LEGISLATION AMENDMENT BILL 2021:** *(Minister for Transport and City Services): Agreement in principle—Resumption of debate (from 5 August 2021—Mr Parton). (Referred to Standing Committee on Planning, Transport and City Services for report by 30 November 2021).*
 - *7 **CIVIL LAW (SALE OF RESIDENTIAL PROPERTY) AMENDMENT BILL 2021:** *(Attorney-General): Agreement in principle—Resumption of debate (from 9 November 2021—Mr Cain).*
 - *8 **EMERGENCIES AMENDMENT BILL 2021:** *(Minister for Police and Emergency Services): Agreement in principle—Resumption of debate (from 9 November 2021—Mr Milligan).*
 - 9 **UPDATE ON THE ACT GOVERNMENT'S WORK TO CREATE SUSTAINABLE CANBERRA JOBS—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate *(from 5 August 2021—Ms Orr)* on the motion of Mr Barr—That the Assembly take note of the paper.
 - 10 **ABORIGINAL AND TORRES STRAIT ISLANDER LED REVIEW—OVERREPRESENTATION IN THE TERRITORY'S JUSTICE SYSTEM—GOVERNMENT RESPONSE TO RESOLUTION OF THE ASSEMBLY—PAPER—MOTION TO TAKE NOTE OF PAPER:** Resumption of debate *(from 8 October 2021—Mrs Kikkert)* on the motion of Mr Gentleman—That the Assembly take note of the paper.
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PRIVATE MEMBERS' BUSINESS

Notices

- 1 **DR PATERSON:** To move—That this Assembly:
 - (1) notes that:
 - (a) Australia has the unfortunate title of being a world leader in skin cancer rates;
 - (b) skin cancer is one of the most easily preventable types of cancer – avoided through awareness and practice of sun safety behaviours;
 - (c) government, medical and scientific bodies and other organisations are very effective in conveying sun smart messages, particularly for children;
 - (d) research carried out in the summer of 2019 assessed parental and primary caregiver's attitudes towards sun safe hat and sunscreen use at a major children's playground in the ACT. Findings identified that:
 - (i) nearly one-third of caregivers were not wearing sunscreen;
 - (ii) nearly three-quarters were not wearing a sun safe hat for their entire period of time at the playground;
 - (iii) over 80 percent believe it is important to model sun smart behaviours; and
 - (iv) 93 percent stated a desire for government supported sun safety messaging at playgrounds to reinforce and support good sun safety practices by parents/adults and the child/children in their care;
 - (e) there is significant room for improvement in the use of sun safe hats and sunscreen for adults in ACT playgrounds; and
 - (f) improved sun smart messaging would provide a public health benefit for dermatology and skin cancer prevention strategies; and
 - (2) calls on the ACT Government to explore opportunities to convey sun smart/sun safety messaging—for parents and caregivers as well as children—in ACT playgrounds through:
 - (a) murals painted by local artists; and/or
 - (b) posters and other forms of signage. (*Notice given 4 November 2021. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).*

Orders of the day

- 1 **BAIL AMENDMENT BILL 2021:** (*Mr Hanson*): Agreement in principle—Resumption of debate (*from 5 August 2021—Mr Rattenbury*).

Notices (cont'd)

2 **MR PARTON:** To move—That this Assembly:

- (1) notes:
 - (a) the NSW Inner West Light Rail line has been decommissioned for 18 months because of structural issues with the CAF Urbos 3 light rail vehicles;
 - (b) that the same vehicles are used on the ACT light rail line;
 - (c) that the NSW CAF Urbos 3 vehicles were purchased seven years ago; and
 - (d) that the ACT fleet was purchased two to three years ago; and
- (2) calls on the ACT Government to:
 - (a) report back to the Assembly on the risks for our light rail vehicle fleet by the second sitting week of 2022; and
 - (b) advise the Assembly on the contingency planning it will undertake in the event the fault experienced in NSW and other countries emerges in the ACT light rail vehicle fleet. *(Notice given 8 November 2021. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).*

3 **MS CASTLEY:** To move—That this Assembly:

- (1) notes that over 1,800 establishments make up Canberra's core night-time economy, employing 31,000 Canberrans and generating \$3.35 million in sales turnover in 2019-20 (Council of Capital City Lord Mayors 2021);
- (2) further notes:
 - (a) the 2021 lockdown in the ACT has had and, will continue to have, a long-term impact on all local businesses, but particularly hospitality businesses; and
 - (b) businesses have been let down by the ACT Government, with delays to emergency support payments during lockdown leaving Canberra's businesses struggling to survive; and
- (3) calls on the ACT Government to encourage more Canberrans into town centres by making:
 - (a) ACT Government parking in all ACT town centres free after 6 pm and on weekends until March 2022; and
 - (b) all public transport free after 6 pm and on weekends until March 2022. *(Notice given 8 November 2021. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).*

4 **MS CLAY:** To move—That this Assembly:

- (1) notes that:
 - (a) the Conference of the Parties 26 (COP26) climate summit in Glasgow has been billed as the world's last chance to meet the goals of the Paris Agreement and avoid a climate catastrophe;
 - (b) the ACT is a small jurisdiction but is a global leader on climate action, helping to drive change beyond its borders;
 - (c) in 2019, the ACT Legislative Assembly declared we were in a climate emergency and in 2021 called for a treaty to end the proliferation of fossil fuels;
 - (d) the ACT Government has committed to achieving net zero emissions by 2045, and has set ambitious emission reduction targets for 2025, 2030 and 2040, and has already met its 40 percent emissions reduction target for 2020;
 - (e) the ACT Government has achieved its target of being powered by 100 percent renewable electricity by 2020 and has committed to phase out fossil gas;
 - (f) while the ACT has made great progress, we could do much more if the Federal Government implemented strong national policies to cut emissions and support action by states and territories;
 - (g) the Federal Government has set a goal of net zero emissions by 2050 but the current target for 2030 does not align with our obligations under the Paris Agreement and the Federal Government has set no interim targets to phase out fossil fuels;
 - (h) the Federal Government has no target to end coal and gas extraction and Australia continues to be the world's largest exporter of coal with around 72 new coal projects and 44 new gas projects in the pipeline around the country; and
 - (i) the Federal Government has no target to phase out fossil fuel from our transport sector;
- (2) endorse:
 - (a) the ACT's membership and support for the Powering Past Coal Alliance;
 - (b) the Fossil Fuel Non-Proliferation Treaty by asking each Member to sign the petition at <https://fossilfuel treaty.org/>;
 - (c) the necessity of rapidly phasing out the burning of fossil fuels, including ending the use of fossil fuel gas in the ACT by at least 2045;
 - (d) urgent prioritisation of zero-emissions transport, with programs and policies that support active transport, public transport, and a rapid transition to zero emissions vehicles;

- (e) reforms to improve the sustainability of building in the ACT, including requirements for gas-free suburbs and infill, a revised climate-wise building code, and energy efficiency retrofitting programs such as the Energy Efficiency Improvement Scheme and vulnerable household scheme; and
 - (f) meeting the ACT's legislated emissions reduction targets and seeking opportunities to increase ambition in line with the latest science;
- (3) calls on the Minister for Water, Energy and Emissions Reduction to write to his Federal counterpart and, separately, calls on the leaders of all parties represented in the Assembly, to write to the Federal leaders of their respective political parties to urge them to commit to:
 - (a) recognise and declare that we are in a climate emergency and need a rapid and just transition to net zero emissions for a stable climate;
 - (b) legislate interim targets for 2030 and 2040 on the path to net zero emissions that align with meeting the goals of the Paris Agreement;
 - (c) immediately cease new fossil fuel exploration and rapidly phase out the extraction, export and use of coal and fossil gas;
 - (d) end public subsidies to coal and gas exploration, extraction, and processing;
 - (e) set a national target of achieving 100 percent renewable electricity by 2030;
 - (f) set a national zero emissions transport policy that is consistent with the 2030, 2040 and net zero emissions targets; and
 - (g) ensure that Australia fulfills all targets and commitments made on behalf of Australia at COP26; and
- (4) calls on the Chief Minister and the leaders of all parties represented in the Assembly to table a copy of these letters and responses in the Assembly by the first sittings of 2022. *(Notice given 8 November 2021. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).*

Orders of the day (cont'd)

- 2 **DRUGS OF DEPENDENCE (PERSONAL USE) AMENDMENT BILL 2021:** *(Mr Pettersson): Agreement in principle—Resumption of debate (from 11 February 2021—Ms Stephen-Smith). (Referred to Select Committee on Drugs of Dependence (Personal Use) Amendment Bill 2021 on 11 February 2021 for report by 30 November 2021.)*
- 3 **ROAD TRANSPORT (SAFETY AND TRAFFIC MANAGEMENT) AMENDMENT BILL 2021 (NO 2):** *(Ms Clay): Agreement in principle—Resumption of debate (from 22 June 2021—Mr Steel). (Referred to Standing Committee on Planning, Transport and City Services for report by 30 November 2021).*
- 4 **CARERS RECOGNITION BILL 2021:** *(Ms Orr): Agreement in principle—Resumption of debate (from 23 June 2021—Ms Davidson).*

- *5 **CIVIL LAW (SALE OF RESIDENTIAL PROPERTY) AMENDMENT BILL 2021:**
(Mr Cain): Agreement in principle—Resumption of debate (from 9 November 2021—Mr Gentleman).

ASSEMBLY BUSINESS

Notices

- 1 **MS BURCH:** To present a Bill for an Act to amend the *Remuneration Tribunal Act 1995*. *(Notice given 2 November 2021).*
- 2 **MR GENTLEMAN:** To move—That the Assembly shall meet as follows for 2022 unless an absolute majority of Members request, in writing that the Speaker or in the absence of the Speaker the Deputy Speaker, or in the absence of both the Speaker and the Deputy Speaker, the Clerk fix an alternative day or hour of meeting or the Assembly otherwise orders:

February	8	9	10
March	22	23	24
April	5	6	7
May	3	4	5
June		1	2
	7	8	9
August	2	3	4
September	20	21	22
October	11	12	13
	18	19	20
November	22	23	24
	29	30	
December			1

(Notice given 5 November 2021. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).

- 3 **MRS JONES:** To move—That this Assembly:
- (1) notes that:
- (a) since the beginning of the COVID-19 pandemic, racism amongst a small minority of Canberrans has surfaced and been directed towards those of culturally and linguistically diverse backgrounds;
 - (b) this intolerance has resulted in what appears to be an increase in verbal racial attacks and threats of actual physical attacks;

- (c) when it occurs, this kind of abuse is damaging to both the individual being targeted and their entire community;
 - (d) the vast majority of Canberrans are respectful to all people and abhor such behaviour;
 - (e) when such incidents occur in the workplace, industrial laws and policies provide a mechanism for redress to affected individuals;
 - (f) whilst illegal, when such incidents occur in the public domain, affected individuals have greater difficulty in recording their experiences and seeking redress; and
 - (g) there are barriers for victims to accessing the existing complaints processes of the Human Rights Commission, and ACT Policing must prioritise its resources and cannot respond to all reported incidents, which means that a full picture of the prevalence and circumstances of such incidents is difficult to obtain;
- (2) refers this matter to the Standing Committee on Education and Community Inclusion for an inquiry to investigate the prevalence of and, mechanisms for, reporting incidents of vilification and threats of physical violence on persons in the Territory on the basis of their race, linguistic diversity, ethnic origin, religion or status as Aboriginal or Torres Strait Islander people;
- (3) requests the Committee in conducting its inquiry to have regard to the:
- (a) social and legal context in which vilification based on race, linguistic diversity, ethnic origin, religion or status as Aboriginal or Torres Strait Islander people occurs;
 - (b) effectiveness of existing reporting mechanisms, both for the purpose of redress in relation to individual incidents and for statistical monitoring of the prevalence of vilification based on race, linguistic diversity, ethnic origin, religion or status as Aboriginal or Torres Strait Islander people in the ACT community generally;
 - (c) adequacy of the existing legal frameworks applying to vilification based on race, linguistic diversity, ethnic origin, religion or status as Aboriginal or Torres Strait Islander people in the ACT, including any gaps in their coverage;
 - (d) adequacy of existing processes and practices of the Human Rights Commission, ACT Policing and any other relevant organisation to address vilification based on race, linguistic diversity, ethnic origin, religion or status as Aboriginal or Torres Strait Islander people; and
 - (e) any other matter the committee considers relevant; and
- (4) requests the Committee to:
- (a) encourage participation by affected individuals and groups by providing interpreter services, inviting confidential submissions, taking evidence in camera, and holding documents in confidence where it considers it appropriate to do so;

- (b) consider whether to publish a discussion paper by 31 March 2022 and whether to provide an interim report before 1 July 2022; and
- (c) report back to the Assembly by 30 September 2022. *(Notice given 8 November 2021. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).*

Orders of the day

- 1 **ESTIMATES 2021-2022—SELECT COMMITTEE—PROPOSED ESTABLISHMENT:**
Resumption of debate (*from 3 June 2021—Mr Braddock*) on the motion of Mr Hanson—That, notwithstanding the provisions of the resolution of the Assembly on 2 December 2020, as amended 30 March 2021, establishing the general purpose standing committees, that:
 - (1) a Select Committee on Estimates 2021-2022 be appointed to examine the expenditure proposals contained in the Appropriation Bill 2021-2022, the Appropriation (Office of the Legislative Assembly) Bill 2021-2022 and any revenue estimates proposed by the Government in the 2021-2022 Budget and prepare a report to the Assembly;
 - (2) the Committee be composed of:
 - (a) one Member to be nominated by the Government;
 - (b) one Member to be nominated by the Opposition; and
 - (c) one Member to be nominated by the ACT Greens;
 - (3) members of the Committee are to be notified in writing to the Speaker within two hours of this motion passing; an Opposition Member shall be elected chair of Committee by the Committee;
 - (4) funds be provided by the Assembly to permit the engagement of external expertise to work with the Committee to facilitate the analysis of the Budget and the preparation of the report by the Committee;
 - (5) the Committee is to report by Tuesday, 7 October 2021;
 - (6) if the Assembly is not sitting when the Committee has completed its inquiry, the Committee may send its report to the Speaker or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing, publishing and circulation;
 - (7) for the purpose of taking evidence the following will constitute a quorum:
 - (a) two members of the Committee; or
 - (b) one member of the Committee and any other non-executive Member of the Assembly;
 - (8) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders; and
 - (9) with the establishment of the Select Committee on Estimates 2021-2022, the general purpose standing committees will not now inquire into expenditure proposals contained in the Appropriation Bill 2021-2022.

- 2 **PROPOSED AMENDMENT TO STANDING ORDER 113A:** Resumption of debate *(from 16 September 2021—Mr Rattenbury)* on the motion of Mr Hanson—That standing order 113A be amended by omitting “all non-Executive Members seeking to speak have asked at least one question” and substituting “nine original questions have been asked by any Opposition Member, and other non-Executive Members seeking to speak have asked at least one question”.

12 November 2021

- 3 **STANDING COMMITTEES:** Presentation of reports on expenditure proposals contained in the main appropriation bills for the Territory and any revenue estimates proposed by the Government in the annual budget, pursuant to order of the Assembly of 2 December 2020, as amended 11 February, 30 March, 22 April, 16 September and 9 November 2021.

By 30 November 2021

- 4 **PLANNING, TRANSPORT AND CITY SERVICES—STANDING COMMITTEE:** Presentation of report on the Road Transport (Safety and Traffic Management) Amendment Bill 2021 (No 2) and the Road Transport Legislation Amendment Bill 2021, pursuant to order of the Assembly of 2 December 2020, as amended 11 February, 30 March and 22 April 2021 and order of 16 September 2021.
- 5 **DRUGS OF DEPENDENCE (PERSONAL USE) AMENDMENT BILL 2021—SELECT COMMITTEE:** Presentation of report on the Drugs of Dependence (Personal Use) Amendment Bill 2021 and any other related matters, pursuant to order of the Assembly of 11 February 2021, as amended 16 September 2021.

Last sitting day in 2021

- 6 **COVID-19 2021 PANDEMIC RESPONSE—SELECT COMMITTEE:** Presentation of report on any matter relating to the ACT Government’s health and financial response and any other matter relating to the COVID-19 pandemic as it relates to the ACT, pursuant to order of the Assembly of 16 September 2021.

31 May 2022

- 7 **STANDING COMMITTEES:** Presentation of reports on calendar and financial year annual and financial reports for 2020-2021, pursuant to order of the Assembly of 2 December 2020, as amended 11 February, 30 March, 22 April and 16 September 2021.
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QUESTIONS ON NOTICE

On the first sitting day of a period of sittings a complete Notice Paper is published containing all unanswered questions. On subsequent days, only redirected questions are included on the Notice Paper together with a list of all unanswered questions.

A Questions on Notice Paper will be issued on the Friday of a sitting week, containing the text of all questions on notice lodged that week and can be accessed at www.parliament.act.gov.au/parliamentary-business/in-the-chamber/chamber-documents.

Unanswered Questions

418, 421, 423, 424, 426, 428, 429, 431, 433, 436-441, 449, 465, 467, 469, 470, 472-474, 477-485, 487, 488, 489, 491-494, 499-501, 503, 506.

T Duncan

Clerk of the Legislative Assembly

GOVERNMENT TO RESPOND TO PETITIONS

(in accordance with standing order 100)

3 November 2021 (*extended to 2 January 2022, pursuant to order of the Assembly of 16 September, as amended 7 October 2021*)

Gungahlin Town Centre—Suspension of auction of sites—Minister for Planning and Land Management—Petition lodged by Mr Braddock (Pet 16-21).

Red Hill Integrated Plan—Proposed amendment—Minister for Planning and Land Management—Petition lodged by Mrs Jones (Pet 24-21).

Proposed rejection of Draft Variation 375—Minister for Planning and Land Management—Petition lodged by Ms Lee (Pet 28-21).

4 November 2021 (*extended to 2 January 2022, pursuant to order of the Assembly of 16 September, as amended 7 October 2021*)

Red Hill Integrated Plan—Proposed amendment—Minister for Planning and Land Management—Petition lodged by Mrs Jones (Pet 29-21).

16 December 2021

Maintenance of public housing dwellings—Minister for Housing and Suburban Development—Petition lodged by Mr Parton (Pet 37-21).

Civic 40 kph speed limit zones—Proposed waiving of fines and penalties—Minister for Transport and City Services—Petitions lodged by Mr Parton (Pet 31-21 and Pet 38-21).

Domestic Animal Services—Improved operations—Minister for Transport and City Services—Petition lodged by Ms Lawder (Pet 9-21).

Drake-Brockman Drive—Bicycle lanes—Minister for Transport and City Services—Petition lodged by Mrs Kikkert (Pet 25-21).

Residents living on Federal income support—Treasurer—Petition lodged by Mr Braddock (Pet 36-21).

5 January 2022

Campbell—Proposed implementation of a parking and traffic management plan—Minister for Transport and City Services—Petitions lodged by Ms Lee (Pet 21-21 and Pet 40-21).

7 January 2022

Lyons shops—Proposed upgrade of facilities—Minister for Transport and City Services—Petition lodged by Mrs Jones (Pet 41-21).

8 February 2022

Hawker shops—Proposed public toilet facility—Minister for Transport and City Services—Petition lodged by Ms Vassarotti (Pet 12-21).

Melba—Proposed upgrade to recreational space next to Melba High School—Minister for Transport and City Services—Petition lodged by Ms Clay (Pet 15-21).

Waramanga Playing Fields—Proposed installation of lighting—Minister for Transport and City Services—Petitions lodged by Dr Paterson (Pet 26-21 and Pet 43-21).

Fadden Hills Pond Playground—Proposed improvement—Minister for Transport and City Services—Petition lodged by Ms Lawder (Pet 27-21).

COMMITTEES

Unless otherwise shown, appointed for the life of the Tenth Assembly. The dates of the amendments to the committees' resolution of appointment are reflected, but not changes in the membership.

Standing

Pursuant to standing order

ADMINISTRATION AND PROCEDURE: *(Formed 3 November 2020)*: The Speaker (Chair), Mr Braddock, Mr Hanson, Ms Orr.

Pursuant to resolution

ECONOMY AND GENDER AND ECONOMIC EQUALITY: *(Formed 2 December 2020)*: Ms Lawder (Chair), Mr Davis, Ms Orr.

EDUCATION AND COMMUNITY INCLUSION: *(Formed 2 December 2020)*: Mr Pettersson (Chair), Mr Cain, Mr Davis.

ENVIRONMENT, CLIMATE CHANGE AND BIODIVERSITY: *(Formed 2 December 2020)*: Dr Paterson (Chair) Mr Braddock, Ms Castley.

HEALTH AND COMMUNITY WELLBEING: *(Formed 2 December 2020)*: Mr Davis (Chair), Mr Milligan, Mr Pettersson.

JUSTICE AND COMMUNITY SAFETY: *(Formed 2 December 2020)*: Mr Hanson (Chair), Ms Clay, Dr Paterson.

PLANNING, TRANSPORT AND CITY SERVICES: *(Formed 2 December 2020)*: Ms Clay (Chair), Mr Parton, Ms Orr.

PUBLIC ACCOUNTS: *(Formed 2 December 2020)*: Mrs Kikkert (Chair), Mr Braddock, Mr Pettersson.

Select

COVID-19 2021 PANDEMIC RESPONSE: *(Formed 16 September 2021)*: Ms Lee (Chair), Ms Clay, Ms Orr.

DRUGS OF DEPENDENCE (PERSONAL USE) AMENDMENT BILL 2021: *(Formed 11 February 2021)*: Mr Cain (Chair), Mr Davis, Dr Paterson.
