



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2020–2021–2022–2023–2024

## MINUTES OF PROCEEDINGS

No 119

TUESDAY, 14 MAY 2024

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- 1 The Assembly met at 10 am, pursuant to adjournment. The Speaker (Ms Burch) took the Chair and made the following acknowledgement of country in the Ngunnawal language:

Dhawura nguna, dhawura Ngunnawal.

Yanggu ngalawiri, dhunimanyin Ngunnawalwari dhawurawari.

Nginggada Dindi dhawura Ngunnaawalbun yindjumaralidjinyin.

*This is Ngunnawal Country.*

*Today we are gathering on Ngunnawal country.*

*We always pay respect to Elders, female and male, and Ngunnawal country.*

The Speaker asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

### 2 ABSENCE OF CLERK

The Speaker informed the Assembly that, due to the absence of the Clerk for this sitting period, the Deputy Clerk will act as Clerk for the duration of the Clerk's absence.

### 3 PETITIONS AND MINISTERIAL RESPONSES—PETITIONS AND RESPONSES NOTED

#### Petitions

The Clerk announced that the following Members had lodged petitions for presentation:

Mr Cocks, from 136 and 417 residents respectively, requesting that the Assembly call on the ACT Government to increase the police presence in the Woden Town Centre (e-Pet 029-23 and Pet 018-24).

Pursuant to standing order 99A, these petitions stand referred to the Standing Committee on Justice and Community Safety.

Ms Burch, from 317 and 362 residents respectively, requesting that the Assembly call on the ACT Government to address the state of the Richardson shops (e-Pet 002-24 and Pet 016-24).

Pursuant to standing order 99A, these petitions stand referred to the Standing Committee on Planning, Transport and City Services.

Mr Parton, from 249 residents, requesting that the Assembly launch a Royal Commission into ACT Housing's conduct towards public housing tenants and maintenance issues (e-Pet 010-24).

Mrs Kikkert, from 74 residents, requesting that the Assembly call on the ACT Government to identify and implement improvements to the Erskine Street Neighbourhood Playground in Macquarie (Pet 017-24).

### **Ministerial responses**

The Clerk announced that the following responses to petitions had been lodged:

Ms Cheyne (Minister for City Services), dated 15 April 2024—Response to e-petition No 003-24, lodged by Mrs Kikkert on 8 February 2024, concerning improvements to the Pulleine Crescent Neighbourhood Playground in Macgregor.

Mr Rattenbury (Attorney-General), dated 8 May 2024—Response to e-petition No 027-23, lodged by Mr Braddock on 6 February 2024, concerning an amendment to Section 34A (b) of the *Crimes (Sentencing) Act 2005*, to ensure all perpetrators of child sexual abuse are treated equally.

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The Speaker proposed—That the petitions and responses so lodged be noted.

Debate ensued.

Question—put and passed.

#### **4 BONDJ JUNCTION ATTACK—MINISTERIAL STATEMENT—PAPER NOTED**

Mr Barr (Chief Minister) made a ministerial statement concerning the attack that occurred in Bondi Junction, Sydney on 13 April 2024 and presented the following paper: Bondi Junction attack—Ministerial statement, 14 May 2024.

Mr Barr moved—That the Assembly take note of the paper.

Debate ensued.

Question—put and passed.

#### **5 OUR BOORIS, OUR WAY REVIEW—SIX MONTHLY UPDATE AND OUT OF HOME CARE SNAPSHOT REPORT—MINISTERIAL STATEMENT AND PAPERS—PAPER NOTED**

Ms Stephen-Smith (Minister for Children, Youth and Family Services) made a ministerial statement concerning the seventh combined six-monthly progress reports for the Government response to the recommendations from the *Our Booris, Our Way Review* and the *Out of Home Care Strategy Snapshot Report 2018-2023*, and presented the following papers:

Our Booris, Our Way—Review—

Six-monthly update (July to December 2023).

Six-monthly implementation update—Government response and Out of Home Care Snapshot Report—Ministerial Statement, 14 May 2023.

Out of Home Care Snapshot Report—A presentation of data covering 1 July 2017 to 31 December 2023.

Ms Stephen-Smith moved—That the Assembly take note of the ministerial statement.

Question—put and passed.

**6 LIGHT RAIL STAGE 1—BENEFITS REALISATION FIVE YEARS ON—LIGHT RAIL STAGE 2B—COST BENEFIT ASSESSMENT—ASSEMBLY RESOLUTION OF 27 JUNE 2023—GOVERNMENT RESPONSE—MINISTERIAL STATEMENT AND PAPER—PAPER NOTED**

Mr Steel (Minister for Transport) made a ministerial statement concerning the benefits realisation of Light Rail Stage 1 five years on, in response to the Assembly resolution of 27 June 2023 relating to Light Rail Stage 2B—Cost benefit assessment, and presented the following papers:

Light Rail—

Five Years On: Benefits Realisation Report 2024, undated.

Stage 1—Benefits realisation five years on (in response to Light Rail Stage 2B—Cost benefit assessment—Assembly resolution of 27 June 2023)—Ministerial statement, 14 May 2024.

Mr Steel moved—That the Assembly take note of the ministerial statement.

Debate ensued.

Question—put and passed.

**7 URBAN AGRICULTURE—ASSEMBLY RESOLUTION OF 25 OCTOBER 2023—GOVERNMENT UPDATE—MINISTERIAL STATEMENT—PAPER NOTED**

Ms Vassarotti (Minister for the Environment, Parks and Land Management) made a ministerial statement concerning the Government update to the Assembly resolution of 25 October 2023 relating to urban agriculture and presented the following paper:

Urban agriculture—Assembly resolution of 25 October 2023—Government update—Ministerial statement, 14 May 2024.

Ms Vassarotti moved—That the Assembly take note of the paper.

Debate ensued.

Question—put and passed.

**8 ENVIRONMENT, CLIMATE CHANGE AND BIODIVERSITY—STANDING COMMITTEE—REPORT 11—INQUIRY INTO ENVIRONMENT PROTECTION (FOSSIL FUEL COMPANY ADVERTISING) AMENDMENT BILL 2024—REPORT NOTED**

Dr Paterson (Chair), pursuant to order, presented the following report:

Environment, Climate Change and Biodiversity—Standing Committee—Report 11—*Inquiry Into Environment Protection (Fossil Fuel Company Advertising) Amendment Bill 2024*, dated 3 May 2024, including a dissenting report (*Ms Clay*), together with a copy of the extracts of the relevant minutes of proceedings—

and moved—That the report be noted.

Debate ensued.

Question—put and passed.

**9 EDUCATION AND COMMUNITY INCLUSION—STANDING COMMITTEE—REPORT 11—INQUIRY INTO THE DISABILITY INCLUSION BILL 2024—REPORT NOTED**

Mr Pettersson (Chair), pursuant to order, presented the following report:

Education and Community Inclusion—Standing Committee—Report 11—*Inquiry into the Disability Inclusion Bill 2024*, dated 30 April 2024, together with a copy of the extracts of the relevant minutes of proceedings—

and moved—That the report be noted.

Question—put and passed.

**10 JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE (LEGISLATIVE SCRUTINY ROLE)—SCRUTINY REPORT 41—STATEMENT BY CHAIR**

Mr Cain (Chair) presented the following report:

Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 41, dated 7 May 2024, together with a copy of the extracts of the relevant minutes of proceedings—

and, by leave, made a statement in relation to the report.

**11 ADMINISTRATION AND PROCEDURE—STANDING COMMITTEE—REPORT 12—REPORT ON THE CONDUCT OF MR RATTENBURY MLA AND MS DAVIDSON MLA—REPORT ADOPTED**

Ms Burch (Chair) presented the following report:

Administration and Procedure—Standing Committee—Report 12—*Report on the conduct of Mr Rattenbury MLA and Ms Davidson MLA*, dated 14 May 2024, together with a copy of the extracts of the relevant minutes of proceedings.

Mr Braddock, by leave, moved—That the report be adopted.

Question—put and passed.

**12 ADMINISTRATION AND PROCEDURE—STANDING COMMITTEE—ALLEGATIONS MADE AGAINST A MEMBER—HANDLING OF—REVIEW—UPDATE—STATEMENT BY CHAIR**

Ms Burch (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Administration and Procedure, having considered recommendations made in the review of the handling of certain allegations made against a Member, resolved to update and consult on the Assembly's workplace policies relating to child safety, respect in the workplace and reporting and complaints referral framework.

**13 EDUCATION AND COMMUNITY INCLUSION—STANDING COMMITTEE—REPORT 10—ANNUAL AND FINANCIAL REPORTS 2022-2023—CORRIGENDUM—STATEMENT BY CHAIR—PAPER**

Mr Pettersson (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Education and Community Inclusion had prepared a corrigendum to Report 10—*Inquiry into Annual and Financial Reports 2022-2023*, to correct a typographical error.

*Paper:* Mr Pettersson, by leave, presented the following paper:

Education and Community Inclusion—Standing Committee—Report 10—*Inquiry into Annual and Financial Reports 2022-2023*—Corrigendum.

**14 JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE—REPORT 27—INQUIRY INTO ANNUAL AND FINANCIAL REPORTS 2022-23—CORRIGENDUM—STATEMENT BY CHAIR—PAPER**

Mr Cain (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Justice and Community Safety had prepared a corrigendum to Report 27—*Inquiry into Annual and Financial Reports 2022-23*, to correct a typographical error.

*Paper:* Mr Cain, by leave, presented the following paper:

Justice and Community Safety—Standing Committee—Report 27—*Inquiry into Annual and Financial Reports 2022-23*—Corrigendum.

**15 JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE—INQUIRY—ADMINISTRATION OF BAIL IN THE A.C.T.—STATEMENT BY CHAIR**

Mr Cain (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Justice and Community Safety had resolved to conduct an inquiry into and report on the administration of bail in the ACT.

**16 PUBLIC ACCOUNTS—STANDING COMMITTEE—GOVERNMENT PROCUREMENT ACT—REPORTABLE CONTRACTS—TABLING—STATEMENT BY CHAIR—PAPER**

Mr Cocks (Chair), pursuant to standing order 246A, made a statement concerning the reporting of reportable contracts, which are provided by agencies to the Standing Committee on Public Accounts under section 39 of the Government Procurement Act.

*Paper:* Mr Cocks, by leave, presented the following paper:

Reportable contracts—Agencies reporting reportable contracts for period 1 April 2023 to 31 March 2024.

**17 ENVIRONMENT PROTECTION LEGISLATION AMENDMENT BILL 2024**

Ms Vassarotti (Minister for the Environment, Parks and Land Management), pursuant to notice, presented a Bill for an Act to amend legislation about protection of the environment, and for other purposes.

*Paper:* Ms Vassarotti presented the following paper:

Explanatory statement to the Bill, incorporating a compatibility statement, pursuant to section 37 of the *Human Rights Act 2004*.

Title read by Clerk.

Ms Vassarotti moved—That this Bill be agreed to in principle.

Debate adjourned (Ms Lawder) and the resumption of the debate made an order of the day for the next sitting.

**18 QUESTIONS**

Questions without notice were asked.

**19 PRESENTATION OF PAPERS**

The Clerk presented the following papers, which had been circulated to Members on 23 April 2024 pursuant to the resolution of the Assembly of 11 April 2024 and standing order 213A, together with the transmittal letter from the Head of Service, ACT Government to the Acting Clerk, dated 23 April 2024:

Attorney-General's meeting notes—30 January 2024—Copy of—

Attorney-General and Acting Director of Public Prosecutions meeting—

Notes by Chief of Staff to Shane Rattenbury MLA, dated 30 January 2024.

Notes by Senior Legal Adviser to Shane Rattenbury MLA, dated 30 January 2024.

Follow up email to the Attorney-General from the Acting Director of Public Prosecutions, dated 30 January 2024.

**20 PRESENTATION OF PAPERS**

The Speaker presented the following papers:

Auditor-General Act, pursuant to subsection 17(5)—Auditor-General's Reports—

No 2/2024—Management of key contracts under A Step Up For Our Kids, dated 17 April 2024.

No 3/2024—Management of the Growing and Renewing Public Housing Program, dated 8 May 2024.

Bills, referred to Committees, pursuant to standing order 174—Correspondence—

Bills—Not inquired into—

Crimes (Disclosure) Legislation Amendment Bill 2024—Copy of letter to the Speaker from the Chair, Standing Committee on Justice and Community Safety, dated 18 April 2024.

Crimes (Sentence Administration) Amendment Bill 2024—Copy of letter to the Speaker from the Chair, Standing Committee on Justice and Community Safety, dated 18 April 2024.

Education Amendment Bill 2024—Copy of letter to the Speaker from the Chair, Standing Committee on Education and Community Inclusion, dated 30 April 2024.

Education and Care Services National Law (ACT) Amendment Bill 2024—Copy of letter to the Speaker from the Chair, Standing Committee on Education and Community Inclusion, dated 30 April 2024.

Health (Improved Abortion Access) Amendment Bill 2024—Copy of letter to the Speaker from the Chair, Standing Committee on Health and Community Wellbeing, dated 30 April 2024.

Heritage Amendment Bill 2024—Copy of letter to the Speaker from the Chair, Standing Committee on Environment, Climate Change and Biodiversity, dated 30 April 2024.

Housing and Consumer Affairs Legislation Amendment Bill 2024—Copy of letter to the Speaker from the Chair, Standing Committee on Justice and Community Safety, dated 18 April 2024.

Independent Competition and Regulatory Commission Amendment Bill 2024—Copy of letter to the Speaker from the Chair, Standing Committee on Public Accounts, dated 17 April 2024.

Nature Conservation Amendment Bill 2024—Copy of letter to the Speaker from the Chair, Standing Committee on Environment, Climate Change and Biodiversity, dated 30 April 2024.

Planning and Environment Legislation Amendment Bill 2024—Copy of letter to the Speaker from the Chair, Standing Committee on Environment, Climate Change and Biodiversity, dated 30 April 2024.

Victims of Crime (Financial Assistance) Amendment Bill 2024—Copy of letter to the Speaker from the Chair, Standing Committee on Justice and Community Safety, dated 18 April 2024.

Standing order 191—Amendments—

Crimes Legislation Amendment Bill 2023, dated 16 and 17 April 2024.

Crimes Legislation Amendment Bill 2024, dated 16 and 17 April 2024.

## 21 PRESENTATION OF PAPERS

Mr Gentleman (Manager of Government Business), pursuant to standing order 211, presented the following papers:

Annual Reports (Government Agencies) Act—

Pursuant to section 7—Annual Reports (Government Agencies) Declaration 2024 (No 1)—Notifiable Instrument NI2024-176, dated 8 April 2024.

Pursuant to subsection 8(5)—Annual Reports (Government Agencies) Directions 2024—Notifiable Instrument NI2024-175, dated 8 April 2024.

Financial Management Act, pursuant to section 26—Consolidated Financial Report for the financial quarter ending 31 March 2024.

Inspector of Correctional Services Act, pursuant to section 39—Statutory Review Report—*Inspector of Correctional Services Act 2017*, dated April 2024.

Justice and Community Safety—Standing Committee—Report 22—*Inquiry into the Human Rights (Healthy Environment) Amendment Bill 2023*—Government response, dated May 2024.

Voluntary Assisted Dying Bill 2023—Select Committee—Report—*Inquiry into the Voluntary Assisted Dying Bill 2023*—Government response, dated May 2024.

### **Subordinate legislation (including explanatory statements unless otherwise stated)**

Legislation Act, pursuant to section 64—

ACT Teacher Quality Institute Act—ACT Teacher Quality Institute (Fees) Determination 2024 (No 1)—Disallowable Instrument DI2024-77 (LR, 22 April 2024).

Building (General) Regulation—Building (General) (Alternative requirements for unaltered parts) Determination 2024—Disallowable Instrument DI2024-83 (LR, 30 April 2024).

Building Act—

Building (Fees) Determination 2024 (No 1)—Disallowable Instrument DI2024-81 (LR, 30 April 2024).

Building (General) Amendment Regulation 2024 (No 1)—Subordinate Law SL2024-6 (LR, 30 April 2024).

Building (Ministerial exemptions for regulated swimming pools) Guidelines 2024—Disallowable Instrument DI2024-82 (LR, 30 April 2024).

Dangerous Goods (Road Transport) Act—Dangerous Goods (Road Transport) Amendment Regulation 2024 (No 1)—Subordinate Law SL2024-5 (LR, 26 April 2024).

Financial Management Act—Financial Management (Transfer of Funds from Capital Injection to Other Appropriations) Direction 2024—Disallowable Instrument DI2024-80 (LR, 2 May 2024).

Gambling and Racing Control Act and Financial Management Act—

Gambling and Racing Control (Governing Board) Appointment 2024 (No 1)—Disallowable Instrument DI2024-60 (LR, 18 April 2024).

Gambling and Racing Control (Governing Board) Appointment 2024 (No 2)—Disallowable Instrument DI2024-62 (LR, 18 April 2024).

Gene Technology (GM Crop Moratorium) Act—

Gene Technology (GM Crop Moratorium) Advisory Council Appointment 2024 (No 1)—Disallowable Instrument DI2024-73 (LR, 30 April 2024).

Gene Technology (GM Crop Moratorium) Advisory Council Appointment 2024 (No 2)—Disallowable Instrument DI2024-74 (LR, 30 April 2024).

Gene Technology (GM Crop Moratorium) Advisory Council Appointment 2024 (No 3)—Disallowable Instrument DI2024-75 (LR, 30 April 2024).

Gene Technology (GM Crop Moratorium) Advisory Council Appointment 2024 (No 4)—Disallowable Instrument DI2024-76 (LR, 30 April 2024).

Heritage Act—

Heritage (Council Chairperson) Appointment 2024—Disallowable Instrument DI2024-63 (LR, 26 April 2024).

Heritage (Council Deputy Chairperson) Appointment 2024—Disallowable Instrument DI2024-64 (LR, 26 April 2024).

Heritage (Council Member) Appointment 2024 (No 1)—Disallowable Instrument DI2024-65 (LR, 26 April 2024).

Heritage (Council Member) Appointment 2024 (No 2)—Disallowable Instrument DI2024-66 (LR, 26 April 2024).

Heritage (Council Member) Appointment 2024 (No 3)—Disallowable Instrument DI2024-67 (LR, 26 April 2024).

Heritage (Council Member) Appointment 2024 (No 4)—Disallowable Instrument DI2024-68 (LR, 26 April 2024).

Heritage (Council Member) Appointment 2024 (No 5)—Disallowable Instrument DI2024-69 (LR, 26 April 2024).

Heritage (Council Member) Appointment 2024 (No 6)—Disallowable Instrument DI2024-70 (LR, 26 April 2024).

Heritage (Council Member) Appointment 2024 (No 7)—Disallowable Instrument DI2024-71 (LR, 26 April 2024).

Heritage (Council Member) Appointment 2024 (No 8)—Disallowable Instrument DI2024-72 (LR, 26 April 2024).

Land Tax Act—Land Tax (Affordable Community Housing) Determination 2024—Disallowable Instrument DI2024-79 (LR, 26 April 2024).

Liquor Act—Liquor (Exempt Business) Declaration 2024 (No 1)—Disallowable Instrument DI2024-78 (LR, 26 April 2024).

Official Visitor Act—Official Visitor (Disability Services) Appointment 2024 (No 1)—Disallowable Instrument DI2024-89 (LR, 6 May 2024).

Public Place Names Act—

Public Place Names (Kingston) Determination 2024—Disallowable Instrument DI2024-90 (LR, 6 May 2024).

Public Place Names (Monash) Determination 2024—Disallowable Instrument DI2024-59 (LR, 22 April 2024).

Racing Act—Racing (Appeals Tribunal Assessor) Appointment 2024—Disallowable Instrument DI2024-58 (LR, 11 April 2024).

Road Transport (General) Act—

Road Transport (General) Application of Road Transport Legislation (Pedders Test) Declaration 2024 (No 1)—Disallowable Instrument DI2024-56 (LR, 2 April 2024).

Road Transport (General) Application of Road Transport Legislation (Rally of Canberra) Declaration 2024 (No 1)—Disallowable Instrument DI2024-55 (LR, 2 April 2024).

Road Transport (General) Driver Licence and Related Fees Determination 2023 (No 1)—Disallowable Instrument DI2024-85 (LR, 2 May 2024).

Road Transport (General) Fees for Publications Determination 2024 (No 1)—Disallowable Instrument DI2024-88 (LR, 2 May 2024).

Road Transport (General) Numberplate Fees Determination 2024 (No 1)—Disallowable Instrument DI2024-86 (LR, 2 May 2024).

Road Transport (General) Refund and Dishonoured Payments Fees Determination 2024 (No 1)—Disallowable Instrument DI2024-87 (LR, 2 May 2024).

Road Transport (General) Vehicle Registration and Related Fees Determination 2024 (No 1)—Disallowable Instrument DI2024-84 (LR, 2 May 2024).

Utilities (Technical Regulation) Act—Utilities (Technical Regulation) (Electricity Network Boundary Code) Approval 2024—Disallowable Instrument DI2024-61 (LR, 18 April 2024).

Veterinary Practice Act—Veterinary Practice (Fees) Determination 2024 (No 1)—Disallowable Instrument DI2024-57 (LR, 11 April 2024).

## **22 LEAVE OF ABSENCE TO MEMBER**

Mr Pettersson moved—That leave of absence be granted to Ms Orr for this sitting period due to personal reasons.

Question—put and passed.

## **23 COERCIVE CONTROL—ELIMINATION—EDUCATION AND SUPPORT**

Ms Castley, pursuant to notice, moved—That this Assembly:

- (1) notes that:
  - (a) coercive control precedes almost all intimate partner domestic violence homicides;
  - (b) coercive control is a form of domestic and family violence characterised by abusive patterns of behaviour designed to exercise domination and control in a relationship;
  - (c) coercive control behaviours include, but are not limited to, threats of violence, deprivation of liberty, financial coercion, social and cultural isolation, stalking and intimidation, reproductive coercion, psychological manipulation, threats of suicide and threats against other people and animals;
  - (d) legislation criminalising coercive control has been passed in New South Wales, Queensland, and Tasmania, and is under development or consideration in Western Australia and South Australia;
  - (e) prior to the commencement of New South Wales' coercive control offence, they have launched an education campaign with the tagline "It's not love, it's coercive control";
  - (f) criminalising coercive control in the ACT, and educating the community about this form of abuse, is a critical step towards cultural change and saving lives; and
  - (g) the Australian Federal Police Association has expressed its support for the criminalisation of coercive control, stating that stronger legislation and a standalone offence is needed to combat coercive control, which they believe to be under-represented and under-reported in the ACT;
- (2) further notes:
  - (a) criminalising coercive control should be complemented by a community education campaign about the offence and identifying its behaviours;
  - (b) criminalising coercive control should be complemented by the provision of support and necessary training and resources to police and other frontline services to identify and respond to the abusive behaviours;

- (c) the ACT Government has been considering reform to criminalise coercive control for four years, and has been monitoring progress in other jurisdictions; and
  - (d) the community is desperately calling for cultural change and a stronger response to domestic and family violence; an education campaign on coercive control needs to begin as soon as possible; and
- (3) calls on the ACT Government to:
- (a) implement an education campaign on coercive control which:
    - (i) outlines that coercive control is incompatible with respectful relationships;
    - (ii) educates on what unacceptable coercive behaviours are and how to identify them;
    - (iii) highlights that coercive control can impact anyone in an intimate or domestic relationship; and
    - (iv) is accessible to Indigenous and culturally and linguistically diverse communities; and
  - (b) commit additional funding and resources in the 2024-25 budget to frontline domestic and family violence services: in particular, to expanding ACT Policing's Family Violence Unit; including consideration of adapting the successful PACER model to address domestic and family violence incidents. This further support should also include training to identify and address coercive control.

Debate ensued.

Ms Berry (Minister for the Prevention of Domestic and Family Violence) moved the following amendment: Omit all text after paragraph (1)(e), substitute:

- “(f) educating the community about coercive control is a critical step towards cultural change and saving lives;
  - (g) the Australian Federal Police Association has expressed its support for the criminalisation of coercive control, stating that stronger legislation and a standalone offence is needed to combat coercive control, which they believe to be under-represented and under-reported in the ACT; and
  - (h) family violence in the ACT includes “coercion or any other behaviour that controls or dominates a family member” and also “sexually coercive behaviour” (section 8 of the *Family Violence Act 2016*), which means that a family violence order can be sought by those affected by coercive control and granted under Part 3 for coercive behaviour. A breach of a family violence order is a criminal offence (section 43);
- (2) further notes:
- (a) any consideration of criminalising coercive control should be complemented by a community education campaign about the offence and identifying its behaviours;

- (b) any consideration of criminalising coercive control should be complemented by the provision of support and necessary training and resources to police and other frontline services to identify and respond to the abusive behaviours;
  - (c) the Domestic Violence Prevention Council has provided the Government with advice on criminalising coercive control which highlighted the potential unintended harms such legislative reform could cause various groups of Canberrans;
  - (d) the Domestic Violence Prevention Council also highlighted the importance of community consultation, community-based education, and ongoing agency training to improve responses to coercive control;
  - (e) there are a range of training options across the ACT Public Service which address coercive control, however there remains a lack of foundational knowledge and understanding about coercive control in both service delivery agencies and the broader community;
  - (f) the ACT Government is working through the Standing Council of Attorneys-General (SCAG) to introduce the *National Principles to Address Coercive Control in Family and Domestic Violence*. On 22 September 2023, the National Principles were released by the SCAG, setting out a shared understanding of common features and impacts of coercive control;
  - (g) the ACT Government has been considering reform to criminalise coercive control for four years, and has been monitoring progress in other jurisdictions; and
  - (h) the community is desperately calling for cultural change and a stronger response to domestic and family violence; an education campaign on coercive control needs to begin as soon as possible; and
- (3) calls on the ACT Government to:
- (a) implement an education campaign on coercive control which:
    - (i) outlines that coercive control is incompatible with respectful relationships;
    - (ii) educates on what unacceptable coercive behaviours are and how to identify them;
    - (iii) highlights that coercive control can impact anyone in an intimate or domestic relationship; and
    - (iv) is accessible to Indigenous and culturally and linguistically diverse communities; and
  - (b) consider additional long-term support for frontline domestic and family violence services, including ACT Policing's Family Violence Unit. This further support should also include training to identify and address coercive control."

Debate continued.

Question—That the amendment be agreed to—put.

The Assembly voted—

AYES, 15		NOES, 8
Andrew Barr	Laura Nuttall	Peter Cain
Yvette Berry	Marisa Paterson	Leanne Castley
Andrew Braddock	Michael Pettersson	Ed Cocks
Joy Burch	Shane Rattenbury	Jeremy Hanson
Tara Cheyne	Chris Steel	Elizabeth Kikkert
Jo Clay	Rachel Stephen-Smith	Elizabeth Lee
Emma Davidson	Rebecca Vassarotti	James Milligan
Mick Gentleman		Mark Parton

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes that:
  - (a) coercive control precedes almost all intimate partner domestic violence homicides;
  - (b) coercive control is a form of domestic and family violence characterised by abusive patterns of behaviour designed to exercise domination and control in a relationship;
  - (c) coercive control behaviours include, but are not limited to, threats of violence, deprivation of liberty, financial coercion, social and cultural isolation, stalking and intimidation, reproductive coercion, psychological manipulation, threats of suicide and threats against other people and animals;
  - (d) legislation criminalising coercive control has been passed in New South Wales, Queensland, and Tasmania, and is under development or consideration in Western Australia and South Australia;
  - (e) prior to the commencement of New South Wales’ coercive control offence, they have launched an education campaign with the tagline “It’s not love, it’s coercive control”;
  - (f) educating the community about coercive control is a critical step towards cultural change and saving lives;
  - (g) the Australian Federal Police Association has expressed its support for the criminalisation of coercive control, stating that stronger legislation and a standalone offence is needed to combat coercive control, which they believe to be under-represented and under-reported in the ACT; and
  - (h) family violence in the ACT includes “coercion or any other behaviour that controls or dominates a family member” and also “sexually coercive behaviour” (section 8 of the *Family Violence Act 2016*), which means that a family violence order can be sought by those affected by coercive control and granted under Part 3 for coercive behaviour. A breach of a family violence order is a criminal offence (section 43);

- (2) further notes:
- (a) any consideration of criminalising coercive control should be complemented by a community education campaign about the offence and identifying its behaviours;
  - (b) any consideration of criminalising coercive control should be complemented by the provision of support and necessary training and resources to police and other frontline services to identify and respond to the abusive behaviours;
  - (c) the Domestic Violence Prevention Council has provided the Government with advice on criminalising coercive control which highlighted the potential unintended harms such legislative reform could cause various groups of Canberrans;
  - (d) the Domestic Violence Prevention Council also highlighted the importance of community consultation, community-based education, and ongoing agency training to improve responses to coercive control;
  - (e) there are a range of training options across the ACT Public Service which address coercive control, however there remains a lack of foundational knowledge and understanding about coercive control in both service delivery agencies and the broader community;
  - (f) the ACT Government is working through the Standing Council of Attorneys-General (SCAG) to introduce the *National Principles to Address Coercive Control in Family and Domestic Violence*. On 22 September 2023, the National Principles were released by the SCAG, setting out a shared understanding of common features and impacts of coercive control;
  - (g) the ACT Government has been considering reform to criminalise coercive control for four years, and has been monitoring progress in other jurisdictions; and
  - (h) the community is desperately calling for cultural change and a stronger response to domestic and family violence; an education campaign on coercive control needs to begin as soon as possible; and
- (3) calls on the ACT Government to:
- (a) implement an education campaign on coercive control which:
    - (i) outlines that coercive control is incompatible with respectful relationships;
    - (ii) educates on what unacceptable coercive behaviours are and how to identify them;
    - (iii) highlights that coercive control can impact anyone in an intimate or domestic relationship; and
    - (iv) is accessible to Indigenous and culturally and linguistically diverse communities; and

- (b) consider additional long-term support for frontline domestic and family violence services, including ACT Policing’s Family Violence Unit. This further support should also include training to identify and address coercive control.”—

be agreed to—put and passed.

## **24 REGISTRY WEDDINGS—PROPOSED ESTABLISHMENT**

Mr Pettersson, pursuant to notice, moved—That this Assembly:

- (1) notes:
  - (a) marriages that take place in the ACT are performed by either a Commonwealth registered marriage celebrant or a minister of religion recognised by Access Canberra. Access Canberra does not perform marriage ceremonies; and
  - (b) in all Australian jurisdictions except the ACT and Tasmania, registry marriages can be facilitated by the government in either their Births, Deaths and Marriages office, or in government-owned spaces that can accommodate a simple ceremony;
- (2) acknowledges the rising cost of weddings in the ACT has increased demand from couples for simple government-facilitated marriages like those offered in other jurisdictions; and
- (3) calls on the ACT Government to investigate the establishment of registry marriages in the ACT in consultation with the community.

Debate ensued.

Question—put and passed.

## **25 PAPERS PRESENTED ON 14 MAY 2024—PAPERS NOTED**

The Speaker, pursuant to standing order 211A, proposed—That the papers presented under standing order 211 during the presentation of papers in the routine of business today be noted.

Debate ensued.

Question—put and passed.

## **26 DOMESTIC VIOLENCE AGENCIES (INFORMATION SHARING) AMENDMENT BILL 2023**

The order of the day having been read for the resumption of the debate on the question—That this Bill be agreed to in principle—

Debate resumed.

Question—That this Bill be agreed to in principle—put and passed.

Leave granted to dispense with the detail stage.

Question—That this Bill be agreed to—put and passed.

**27 MEMBER'S STATEMENT**

Member's statement was made.

**28 ADJOURNMENT**

Mr Gentleman (Manager of Government Business) moved—That the Assembly do now adjourn.

Debate ensued.

Question—put and passed.

And then the Assembly, at 5.29 pm, adjourned until tomorrow at 10 am.

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**MEMBERS' ATTENDANCE:** All Members were present at some time during the sitting, except Ms Orr\*.

\*on leave.

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**Hamish Finlay**  
Acting Clerk of the Legislative Assembly