



Simon Corbell MLA

ATTORNEY GENERAL
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT
MINISTER FOR TERRITORY AND MUNICIPAL SERVICES

COPY

MEMBER FOR MOLONGLO

Mrs Vicki Dunne MLA
Chair
Standing Committee on Justice and Community Safety
ACT Legislative Assembly
London Circuit
CANBERRA ACT 2601

Dear Mrs Dunne

I write in response to your letter of 25 February 2011 to the former Chief Minister concerning outstanding Government Responses to reports of the Standing Committee on Justice and Community Safety (and of the Standing Committee on Legal Affairs). In particular, you seek a response to committee reports on the following bills:

- Long Service Leave (Private Sector) Bill 2003 (fifth Assembly)
- Victims of Crime (Financial Assistance) Amendment Bill 2003 (fifth Assembly)
- Court Procedures (Protection of Public participation) Amendment Bill 2005 (sixth Assembly)
- Crimes (Murder) Amendment Bill 2008 (seventh Assembly).

Long Service Leave (Private Sector) Bill 2003

The Long Service Leave (Private Sector) Bill 2003 was a Private Member's Bill introduced into the Assembly on 7 May 2003 and which lapsed on election day on 16 October 2004.

The Bill sought to provide portability of long service leave to all workers employed in the ACT. In contrast, the ACT Government had previously adopted a policy course of extending portability on a sector by sector basis (the result of which had been the provision of portability in the building and construction, and contract cleaning sectors) and saw no reason to depart from that approach.

Consequently, the Government did not respond to the Report during the 5th Assembly. Rather in fulfilment of the above policy, the ACT Government subsequently extended portability to the community sector with the enactment of the *Long Service Leave (Community Sector) Amendment Act 2009* which commenced on 1 July 2010.

Victims of Crime (Financial Assistance) Amendment Bill 2003

The Victims of Crimes (Financial Assistance) Amendment Bill 2003 was introduced in the Legislative Assembly on 28 August 2003 by Mr Jon Stanhope MLA in his then capacity as Attorney General. By motion, the Bill was referred to the Standing Committee on Legal Affairs who conducted an inquiry resulting in a report being tabled in the Assembly on 1 July 2004. This

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report recommended that the Bill not be proceeded with, and subsequently it lapsed on polling day for the 2004 general election.

Mr Stanhope responded by statement in the Assembly on 28 August 2007, advising that the Government considers that the Committee's report is out of date, its recommendations largely redundant and a recommendation-by-recommendation response is unnecessary. Government policy has moved forward since the report was completed, including work conducted in 2008 to review the *Victims of Crime Act 1994* that resulted in the introduction and passage of the Victims of Crime Amendment Bill 2010. Given Mr Stanhope's statement on 28 August 2008 is in effect a response to the Committee report as a whole, I consider that the Government has already responded.

Court Procedures (Protection of Public Participation) Amendment Bill 2005

The Court Procedures (Protection of Public Participation) Amendment Bill 2005 was a Private Member's Bill introduced in the Legislative Assembly by Dr Deb Foskey on 29 June 2005. On 14 December 2005, the ACT Legislative Assembly referred the Bill to the Standing Committee on Legal Affairs for consideration and report.

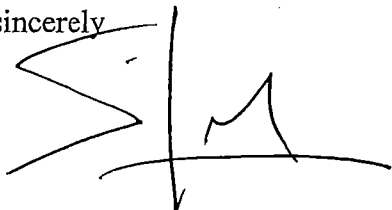
The Committee in its report of May 2007, having considered the Bill, recommended that it not be proceeded with and consequently the Bill lapsed on the polling day for the 2008 general election. The Committee also recommended that a subsequent bill be introduced in the Legislative Assembly to deal with the policy matters contemplated by the first bill. This occurred and resulted in introduction of the Protection of Public Participation Bill 2008, also a Private Member's Bill from Dr Foskey, which was passed on 27 August 2008. The Government made considerable amendments to this bill during detailed debate.

Given these matters, I do not consider it necessary for the Government to provide a response to the Committee's report on the first bill. The report has been overtaken by events.

Crimes (Murder) Amendment Bill 2008

The second Government Response to the JACS Committee report on the Crimes (Murder) Amendment Bill 2008 was tabled in the Legislative Assembly during the May 2011 sittings.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Simon Corbell', written over a horizontal line.

Simon Corbell MLA
Attorney General
17 June 2011

Tabled on 21 June 2011