



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2020–2021–2022–2023–2024

MINUTES OF PROCEEDINGS

No 121

THURSDAY, 16 MAY 2024

- 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 PETITIONS—PETITIONS NOTED

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

Mr Braddock, from 142 residents, requesting that the Assembly call upon the ACT Government to improve the active travel network around Maribyrnong Primary School in Kaleen (e-Pet 008-24).

Mrs Kikkert, from 610 residents, requesting that the Assembly call on the ACT Government to assess and implement options to improve car parking at the Florey Shops (Pet 021-24).

Pursuant to standing order 99A, this petition stands referred to the Standing Committee on Planning, Transport and City Services.

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

Debate ensued.

Paper: Mrs Kikkert, by leave, presented the following paper:

Petition which does not conform with the standing orders—Florey Shops—Car parking improvement—Mrs Kikkert (70 signatures).

Debate continued.

Question—put and passed.

3 PROCUREMENT REFORM PROGRAM—ASSEMBLY RESOLUTION OF 30 NOVEMBER 2023—GOVERNMENT RESPONSE—MINISTERIAL STATEMENT—PAPER NOTED

Mr Steel (Special Minister of State) made a ministerial statement concerning the progress of the ACT Government procurement reform program, in response to the Assembly resolution of 30 November 2023 relating to the procurement reform program, and presented the following paper:

Update on the delivery of the Procurement Reform Program—Assembly resolution of 30 November 2023—Government response—Ministerial statement, 16 May 2024.

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

Question—put and passed.

4 MARION HALLIGAN AM AND BRUCE ARMSTRONG—CELEBRATION OF LIVES—MINISTERIAL STATEMENT—PAPER NOTED

Ms Cheyne (Minister for the Arts, Culture and the Creative Economy) made a ministerial statement celebrating the lives of Marion Halligan AM and Bruce Armstrong and presented the following paper:

Celebrating the lives of Marion Halligan AM and Bruce Armstrong—Ministerial statement, 16 May 2024.

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

Debate ensued.

Question—put and passed.

5 AGE-FRIENDLY CITY PLAN 2020-2024—FOURTH ANNUAL REPORT—MAY 2024—MINISTERIAL STATEMENT AND PAPER—PAPER NOTED

Ms Davidson (Minister for Community Services, Seniors and Veterans) made a ministerial statement to provide an update on work progressed under the Age-Friendly City Plan, in response to the Assembly resolution of 21 April 2021 on dementia-friendly infrastructure, and presented the following papers:

Age-Friendly City Plan 2020-2024—

Status of Actions (Fourth Progress Report)—Reporting Period: January to December 2023, dated May 2024.

Fourth Annual Report—May 2024 (in response to Dementia-friendly infrastructure—Assembly Resolution of 21 April 2021)—Ministerial statement, 16 May 2024.

Ms Davidson moved—That the Assembly take note of the ministerial statement.

Question—put and passed.

6 STANDING COMMITTEES—PROPOSED REFERENCE—A.C.T. POLICING—RESOURCING

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

- (1) notes that:
 - (a) the Productivity Commission’s Report on Government Services (ROGS) shows that the ACT has the lowest real recurrent police services expenditure per person in the population, a 22 percent difference with the Australian average, and this has decreased in real terms since 2013-2014;
 - (b) the ROGS also shows that the ACT has the lowest number of operational staff across Australia per head of population;
 - (c) ACT Policing police officers are the lowest base-paid police officers in Australia;
 - (d) the lack of AFP, Federal Government and ACT Government support to ACT Policing members by providing an improved enterprise agreement that recognises the hard and dangerous work police officers undertake to keep the community safe;
 - (e) the ongoing closure of the Gungahlin Joint Emergency Services Centre (JESC) despite promises in 2021-22 to expend \$8.4 million on its refurbishment;
 - (f) the ongoing closures at the City Police Station due to water ingress and other issues;
 - (g) the lack of a medical report on the potential exposure suffered by ACT Policing members to hazardous materials found at the Gungahlin JESC;
 - (h) according to former chief of the ACT Police, Neil Gaughan, there was an ongoing issue with the large percentage of probationary and junior constables with less than 5 years experience in the force, causing internal health and welfare stress issues; and
 - (i) the physical and psychological welfare of ACT Policing members is being impacted by the low wages, and the lack of policing resources, funding and investment by the ACT Government;
- (2) further notes the:
 - (a) relationship with the Federal Government over concerns regarding ACT Policing wage matters, including the lack of a new Enterprise Agreement;
 - (b) levels of actual investment by this government into ACT Policing;
 - (c) cost of clean up and rectification of the Gungahlin JESC and City Police Station and impact on existing budgets;
 - (d) closures due to lack of maintenance and hazardous materials within ACT Policing accommodation and ongoing impact on ACT Policing;
 - (e) exposure of ACT Policing members to hazardous materials and Government response; and
 - (f) recruitment practices and experience levels within ACT Policing and impact on service delivery; and

- (3) calls on the Assembly to:
- (a) refer this motion to the appropriate standing committee to consider inquiring into the wages, resourcing, funding, and ongoing investment by the ACT Government in ACT Policing, and any other matter the Committee considers relevant; and
 - (b) report back to the Assembly on the last sitting day of this Assembly, Thursday 5 September 2024.

Debate ensued.

Question—put.

The Assembly voted—

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

And so it was negatived.

7 MONITORING OF PLACES OF DETENTION LEGISLATION AMENDMENT BILL 2024

Mr Rattenbury (Attorney-General), pursuant to notice, presented a Bill for an Act to amend legislation about monitoring of places of detention to establish the ACT national preventive mechanism, and for other purposes.

Paper: Mr Rattenbury 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.

Mr Rattenbury moved—That this Bill be agreed to in principle.

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

8 QUESTIONS

Questions without notice were asked.

9 PRESENTATION OF PAPERS

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

Bimberi Youth Justice Centre—Bimberi Headline Indicators Report—May 2024, including a statement, dated May 2024.

Election Commitments Costing Act—Guidelines for Costing Election Commitments—2024—dated May 2024.

Freedom of Information Act, pursuant to section 95—Freedom of Information (Accessibility of Government Information) Statement 2024 (No 1)—Notifiable Instrument NI2024-242, dated 14 May 2024.

Government Procurement Act, pursuant to section 8 (3)(b)—Government Procurement Board—Direction, letter to the Chair, Government Procurement Board from the Special Minister of State, dated 30 April 2024.

Motor Accident Injuries Act, pursuant to section 493—Three-Year Review Report—Report, dated May 2024.

Motor Accident Injuries Commission Response, dated May 2024.

Payroll Tax—General Practitioners—Impact—Assembly Resolution of 13 September 2023—Government response, dated May 2024.

Planning Act, pursuant to subsection 268(2)—Statement of Leases Granted—1 January to 31 March 2024, dated May 2024.

Public housing—Minimum energy efficiency standard—Proposed upgrade—Assembly resolution of 29 November 2023—Government response, dated May 2024.

Rail connection between Sydney and Canberra—Improvement—Assembly Resolution of 28 November 2023—Government response—Correspondence, including Budget Proposal Overview—National Capital Investment Framework—Sydney to Canberra Rail line improvements – Faster Rail Feasibility, dated 14 September 2023, 9 October 2023, 3 November 2023 and 9 March 2024.

Remuneration Tribunal Act, pursuant to section 10—

Full-time Statutory Office Holders—

Auditor-General, Clerk of the Legislative Assembly, Electoral Commissioner—Determination 3 of 2024, dated 24 April 2024.

Chief Executive Officer, City Renewal Authority and Chief Executive Officer, Suburban Land Agency—Determination 4 of 2024, dated 24 April 2024.

Determination 2 of 2024, dated 24 April 2024.

Head of Service—Directors-General and Executives—Determination 1 of 2024, dated 24 April 2024.

Members of the ACT Legislative Assembly—Determination 5 of 2024, dated 24 April 2024.

Part-time Public Office Holder—Chair, Deputy Chair and Members, Ministerial Advisory Council for Veterans and their Families, Part-time Public Office Holder—Chair, Deputy Chair and Members, Aboriginal and Torres Strait Islander Art Space Reference Group, Part-time Public Office Holder—Chair, Deputy Chair and Members, Ministerial Advisory Council on Women—Determination 6 of 2024, dated 24 April 2024.

Waramanga—Street naming conventions—Assembly resolution of 12 September 2023—Government response, dated May 2024.

10 **CRIMES (SENTENCING) AMENDMENT BILL 2024**

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.

Paper: Dr Paterson presented a revised explanatory statement to the Bill.

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.

11 KNIFE-RELATED CRIME LEGISLATIVE REFORMS—JACK’S LAW

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

- (1) notes:
 - (a) there should be zero tolerance for knife-related violence in any jurisdiction across the country, and there can be zero tolerance for people carrying knives in public;
 - (b) knife-related violence represents one of the most significant and devastating threats to community safety in Australia;
 - (c) in 2023, Queensland passed legislation granting police additional powers to use metal detection wands on people without reasonable suspicion in designated areas, including shopping centres, night precincts and transit hubs;
 - (d) the reforms, referred to as Jack’s Law, were introduced following the death of teenager, Jack Beasley, in December 2019;
 - (e) in the first year of the introduction of Jack’s Law, more than 500 weapons were seized by Queensland Police; and
 - (f) New South Wales is currently drafting similar Jack’s Law reforms with bipartisan support following the tragic 2024 Bondi Junction stabbings;
- (2) further notes:
 - (a) Section 382 of the *Crimes Act 1900* (ACT) establishes that a person cannot without a reasonable excuse carry a knife on them in a public place, but ACT Policing officers do not currently have the capacity to conduct searches on people without reasonable suspicion using metal detection wands;
 - (b) Sections 193 and 207 of the *Crimes Act 1900* (ACT) grant ACT Policing officers powers, if they suspect on reasonable grounds, to search a person for possession of a knife and stopping, searching and detaining people for possession of a thing relevant to a serious offence, but there is nothing that allows ACT Policing officers to use an *authorised device* such as a metal detection wand to search without reasonable suspicion;
 - (c) incidents of knife-related violence occur in the ACT, including a fatal stabbing in a Civic nightclub in July 2020 and the non-fatal ANU stabbing incident in September 2023;
 - (d) the ACT must remain vigilant and proactive in ensuring community safety and combating knife-related violence; and
 - (e) the AFP Association are supportive of implementing Jack’s Law reforms in the ACT; and
- (3) calls on the ACT Government to consider increased powers for ACT Policing consistent with Jack’s Law and report back to this Assembly by the last sitting day in August.

Debate ensued.

Question—put and passed.

12 PAPERS PRESENTED ON 16 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.

Question—put and passed.

13 VOLUNTARY ASSISTED DYING 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.

Ms Stephen-Smith (Minister for Health), by leave, was granted an extension of time.

Ms Lawder addressing the Assembly—

Adjournment negatived: It being 6.30 pm—The question was proposed—That the Assembly do now adjourn.

Mr Gentleman (Manager of Government Business) requiring the question to be put forthwith without debate—

Question—put and negatived.

Debate continued.

Paper: Ms Cheyne (Minister for Human Rights) presented a revised explanatory statement to the Bill.

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

The Assembly voted—

AYES, 20		NOES, 5
Andrew Barr	Laura Nuttall	Peter Cain
Yvette Berry	Suzanne Orr	Ed Cocks
Andrew Braddock	Mark Parton	Jeremy Hanson
Joy Burch	Marisa Paterson	Elizabeth Kikkert
Leanne Castley	Michael Pettersson	James Milligan
Tara Cheyne	Shane Rattenbury	
Jo Clay	Chris Steel	
Emma Davidson	Rachel Stephen-Smith	
Mick Gentleman	Rebecca Vassarotti	
Nicole Lawder		
Elizabeth Lee		

And so it was resolved in the affirmative.

Detail Stage

Clause 1—

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

14 MEMBERS' STATEMENTS

Members' statements were made.

15 ADJOURNMENT

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

Question—put and passed.

And then the Assembly, at 6.59 pm, adjourned until Tuesday, 4 June 2024 at 10 am.

MEMBERS' ATTENDANCE: All Members were present at some time during the sitting.

Hamish Finlay
Acting Clerk of the Legislative Assembly