NORTHERN TERRITORY OF AUSTRALIA

LEGISLATIVE ASSEMBLY

First Assembly

Parliamentary Record

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The Committee of the Whole Assembly

Chairman—Mr Roberston
Deputy Chairmen—Mr Ballantyne
Mr Perron
Mr Tungutalum

The House Committee

Mr Speaker
Miss Andrew
Mr Steele
Mr Vale
Mr Tuxworth

The Standing Orders Committee

Mr Speaker
Mr Ballantyne
Mr Everingham
Mr Ryan
Mr Vale

The Publications Committee

Mr Ballantyne
Mrs Lawrie
Mr Dondas
Mr Perron
Mr Pollock

The Privileges Committee

Miss Andrew
Mr Kentish
Mr Tungutalum
Mr Withnall

The Subordinate Legislation and Tabled Papers Committee

Mr Ballantyne
Mr Kentish
Mr Robertson
Mr Tungutalum
Mr Withnall

Government Printer of the Northern Territory

PART I

THE DEBATES

Tuesday 7 June 1977

Mr Speaker MacFarlane took the chair at 10 am.

PETITION

DUST HAZARD WILMOT STREET

Mr STEELE: I present a petition from 19 residents of the Narrows who rightfully complain about speeding vehicles and the dust problems associated therewith. I move that the petition be received and read.

Motion agreed to.

TO THE HONOURABLE THE SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY FOR THE NORTHERN TERRITORY

The humble petition of the undersigned residents of the Narrows Road and Wilmot Street Darwin respectively showeth that, because of the illegal use of the area between Narrows Road and the shopping centre at the entrance to the RAAF station by motor vehicles often driven at dangerous and erratic speeds, children walking between routes to and from the shops are in danger, an extreme dust hazard is created, excessive litter results from rubbish thrown from vehicles and posts installed by the Corporation of the City of Darwin to deny motor vehicle access have been removed by motorists. Your petitioners therefore humbly pray that the Legislative Assembly urge the appropriate authorities to take immediate action to close off the area effectively to vehicles and institute prosecutions against anyone using the area improperly, and your petitioners as in duty bound will ever pray.

URANIUM INQUIRY REPORTS

Dr LETTS: I table the Ranger Uranium Environmental Enquiry First Report and the Ranger Uranium Environmental Inquiry Second Report. I move that the reports be noted and seek leave to continue my remarks at a later hour.

Leave granted.

DISTINGUISHED VISITOR

Mr SPEAKER: Honourable members, I draw your attention to the presence in the gallery of Mr Reg Curran a former member of the House of Assembly in South Australia. On behalf of members, I extend a warm welcome to this distinguished visitor.

Members: Hear, hear.

MESSAGE FROM THE ADMINISTRATOR

I, John Armstrong England, the Administrator of the Northern Territory of Australia, pursuant to section 4S of the Northern Territory (Administration) Act 1910, recommend to the Legislative Assembly Bills entitled the Allocation of Funds (Supply) Bill (No. 1) 1977-78 and the Allocation of Funds (Supply) Bill (No. 2) 1977-78 to make provision with respect to the expenditure of moneys appropriated by the Parliament for operating and capital expenditure for the year ending 30 June 1978 in respect of matters specified under section 4ZE of the Northern Territory (Administration) Act 1910.

SUSPENSION OF STANDING ORDERS

Mr TAMBLING: I move that so much of Standing Orders be suspended as would prevent me presenting 2 bills together and the 2 bills being read a first time together and one motion being put in regard to respectively the second reading, the committee report stage and third reading together, and the consideration of the bills separately in the committee as a whole.

Motion agreed to.

SUPPLY BILLS

ALLOCATION OF FUNDS (SUPPLY) BILL (No. 1)

(Serial 210)

ALLOCATION OF FUNDS (SUPPLY) BILL (No. 2)

(Serial 211)

Bills presented and read a first time.

Mr TAMBLING: I move that the bills be now read a second time.

The presentation of these bills is a further important step on the path of the self government in the Territory. It is the first time this Assembly has had the right or the power to determine how the money appropriated for the Territory is to be spent. This right to determine our own priorities is the fundamental and necessary power for responsible self government.

The bills are the first part of the established process within the Westminster system covering the yearly cycle financial legislation. What is now before you are supply bills which enable the administrative process for the functions transferred to the Northern Territory Executive to continue after the end of the 1976-77 financial year and cover expenditure of the administration pending the presentation of the budget for the 1977-78 financial year. The latter will be in the form of the annual appropriation bills.

At this stage in the transfer of functions to the Northern Territory Executive, we are dependent upon the appropriation of moneys to the Assembly by the Commonwealth Parliament. It is therefore necessary to conform to the legislative procedures and principles observed by the Commonwealth Parliament. The supply bills therefore reflect the appropriations of the Parliament as contained in its Supply Acts. The specific purpose of the 2 bills is to allocate, under divisions and subdivisions, moneys appropriated by the Parliament in respect of matters specified in determinations made under clause 4ZE of the Northern Territory (Administration) Act. They do not cover all Federal Government operations in the Northern Territory, only those functions which have been transferred to the Northern Territory.

In respect of these transferred functions, a one-line appropriation has been provided in each of the Federal Supply Acts. The allocation of these appropriations amongst the transferred functions is the subject matter of these bills. In this area, the Assembly has now the power to make decisions and determine the priorities to be accorded our expenditure. By contrast, the distribution of moneys for other areas of government activities in the Territory is determined within the federal Supply Acts. The Assembly can do no more than accept those figures and does not have the power to change or vary the distributions already made.

The bills follow the general pattern of the federal acts. Bill No. 1 is for the ordinary annual services, whereas bill No. 2 provides for capital expenditure on public works and buildings and for capital plant and equipment. In the Commonwealth's sphere, the provision of 2 bills is necessary by reason of section 53 of the constitution which reads: "Proposed laws appropriating revenue or moneys or imposing taxation shall not originate in the Senate... The Senate may not amend proposed laws imposing taxation, or proposed laws appropriating revenue or moneys for the ordinary annual services of the Government. The Senate may not amend any proposed law so as to increase any proposed charge or burden on the people. The Senate may at any stage return to the House of Representatives any proposed law which the Senate may not amend, requesting, by message, the omission or amendment of any items or provisions therein. And the House of Representatives may, if it thinks fit, make any of such omissions or amendments with or without modifications. Except as provided in this section, the Senate shall have equal power with the House of Representatives in respect of all proposed laws".

Although we do not have the same constitutional requirements in the Territory, it is considered appropriate at this stage in the move to statehood to have 2 bills to facilitate debate and consideration by the Assembly.

I would emphasise that the supply bills are not the budgetary proposals of the Majority Party. They are specifically a means of providing interim funds in the early months of the finan-

cial year and to provide for the necessary administrative requirements until the appropriation bills, which contain the detailed budgetary proposals, are brought before the Assembly. It will be noted that the supply bills do not initiate new proposals, except where expenditure on such proposals is unavoidable and will occur prior to the tabling of the appropriation bills. The amounts allocated under each subdivision under the supply bills are approximately proportionate to 5 months' expenditure in the preceding financial year and therefore reflect the continuance of the agreed administrative functions of your Executive.

The appropriation acts as and when presented to and passed by the Federal Parliament will supersede and incorporate the appropriations made available for the purposes of these supply bills. The appropriation acts will also cover the total estimated expenditure for the whole of the financial year for the Northern Territory Executive.

Later this year, at the time the Federal Budget is brought forward, I propose to introduce appropriation bills outlining the full budget proposals of the Majority Party for the 1977-78 financial year. Consistent with the Commonwealth's approach to the one-line appropriation in its supply bills, it has been agreed that there will be a similar one-line appropriation amount incorporated in the subsequent Federal Budget. That amount will in turn be allocated in detail over the full range of functions and activities of the Northern Territory Executive.

I would now like to refer to some specific provisions of the bills, Clause 2 of the bills specifies the amount appropriated by the respective Commonwealth supply acts. The schedules to the bills detail, by subdivision, the amount now to be allocated by the Legislative Assembly in respect of transferred functions.

As the supply bills are concerned with providing interim appropriation for annual ordinary services, it is not necessary to allocate beyond the subdivision level. As referred to previously, a more detailed item by item approach to the allocation of amounts will be adopted in the annual appropriation bills.

The supply bills are therefore confined to the main headings of expenditure. To assist honourable members, I have prepared a supplementary document entitled "The explanation of Allocation of Funds Ordinances 1977-78" which provides some further information on the proposed pattern of expenditure during the supply period. I commend the study of this document to all members. I do not intend, at this time, to traverse the document in detail as I wish only to explain the nature and purpose of the supply bills. During debate on the bills, members may raise particular points of interest or concern and individual Cabinet Members responsible for particular functions may enlarge on details of expenditure concerning their portfolios. Members will have ample opportunity to debate the details of the supply proposals during the committee stage.

I would now draw the attention of members to clause 3 in each bill dealing with variation of allocation. The requirement for this provision is twofold: to establish, with the approval of the Assembly, an administrative machinery measure to meet emergent or unforeseen expenditure not otherwise provided in the Allocation of Funds Ordinance; and to enable an allocation of funds, by means of recourse to the "Advance to the Treasurer", that is additional to those funds provided to the Legislative Assembly in the form of the one-line appropriation in the Commonwealth supply acts.

I have earlier referred to the fact that the allocations by the Assembly are confined to the amounts appropriated by the Parliament. In a situation of extreme expenditure restraint, it is apparent that the Assembly, within the confines of these appropriations, should ensure that this legislation allows sufficient flexibility to ensure maximum benefit is obtained from the supply appropriations.

Every effort has been made to place before the Assembly estimates of expenditure which reflect an accurate assessment of departmental requirements during this interim pre-budget period. Nevertheless, they are still estimates and must be viewed in that light. In addition, there may arise unforeseen or emergent expenditure requirements during the supply period and the provision of clause 3 is essential if we are to meet these circumstances. It will be recalled by honourable members that the equivalent Commonwealth legislation contains a similar contingency provision in the form of "Advance to the Treasurer".

To have followed the same path to that followed in the Commonwealth legislation, at the outset, would require us to set aside a reserve of funds for subsequent allocation either by me or the Executive Council or the Legislative Assembly. In this event, there would be the distinct possibility that, by reducing allocations now to establish the reserve, there would be the risk of a significant under-expenditure of moneys provided by the Commonwealth's one-line appropriation. Given the difficulties already encountered in the Territory, I feel sure that honourable members would wish to avoid such a possibility. I commend the procedure as incorporated in clause 3. It represents original legislation by this Assembly to ensure flexibility in the administrative process of government and maximises the appropriations and, at the same time, will ensure that the Assembly is kept fully informed of actions taken by the Executive.

I would emphasise that clause 3 is a machinery measure and is constrained by 2 factors: before the Executive Member for Finance and Local Government may make an order, there must first be an equivalent saving in another subdivision within the schedule concerned; and, as specified in clause 3(4), the total overall expenditure within the schedule must not exceed the amount specified in clause 3, that is, the one line appropriation amount plus any additional amounts provided from the "Advance to the Treasurer".

In summary then, the variation of allocation provides that, where there is a need for extra funds for particular purposes, and savings can be made in other areas, the Executive Member for Finance and Local Government may make an order varying the expenditure allocation by an amount of up to $200,000. If the required variation exceeds $200,000, he must first seek and obtain the approval of the Executive Council for the variation. In all cases, copies of any such orders for variations must be tabled in the Assembly. In this way, the Assembly will remain fully informed and, if necessary, may debate any order and express its views on the action taken. This provision provides the necessary flexibility to meet unforeseen and emergent contingencies, but again, only to the extent that savings are made elsewhere to meet the cost of such additional expenditure.

I am honoured to have the privilege of introducing these, the first Territory money bills into this Assembly. I am sure members will wish to study the details in the bills and supporting papers and I look forward to the debate on them. I commend the bills.

Debate adjourned.

TRAFFIC BILL

(Serial 199)

Continued from 4 May 1977.

Motion agreed to; bill read a second time.

Bill passed remaining stages without debate.

MOTOR VEHICLES BILL

(Serial 198)

Continued from 4 May 1977.

Mr ROBERTSON: I rise to support the bill. The background to the bulk of the proposed legislation comes from particular difficulties which were seen to exist in the caravan industry and, in

particular, the requirements of certain types of trailers. I am informed by people who sell caravans that this bill will go a long way towards overcoming many of the difficulties they have experienced in the variation between the manufacturing requirements and the existing legislation in the Northern Territory.

There is one query that I wish to raise with the sponsor of the bill and that relates to the amendment proposed to the Fourth Schedule of the principal ordinance. I refer to item 4 of that particular schedule and, in particular, to subclause (a). The bill states that, where the unladen mass of a trailer exceeds 500 kilograms or the laden mass of the trailer exceeds 1 tonne, which is 1,000 kilograms, there shall be an independent braking system. I would like to query the logic or the wisdom of subclause (a) of that proposed new clause. It would seem to me that we are trying to draw a line at which the weight of a towed trailer is such that it is no longer safe to use an over-rider braking system. That being the case, there seems to be very little point in having the 500 kilograms empty weight as a requirement to increase the braking capabilities. I would suggest to the sponsor of the bill that it is either safe to tow a trailer of 998 kilograms empty or full or it is not. It would seem to me not to make any sense at all to suggest that, because it is empty and weighs in excess of 500 kilograms, it should have a separate system of braking.

I would like to make that point clearer. A trailer owned by the Alice Springs Gliding Club expressly for the purpose of towing gliders weighs 650 kilograms empty and, under this provision, the club could not register that trailer. However, its full weight carrying a glider is only 960 kilograms so one is to assume that, in order to register their trailer, they load the glider on board. Of course, the problem is that, once they take the glider off, it is then illegal. With that reservation, I support the bill.

Mr VALE: I would also like to speak in support of this bill, particularly the alterations to weights of trailers. Following representations made to me by the Alice Springs Aero Club and representations I then made, the Cabinet Member for Transport agreed that the legislation did need amendments. The Alice Springs Gliding Club had trailers built specifically to haul gliders. The all-up weight was less than 1,000 kilograms but, under the legislation as it stood, because of the length of those trailers, they were required to have those trailers fitted with an independent braking system. This legislation, with the proposed amendment to the particular clause mentioned by the honourable member for Gillen, I am sure will be supported. I will support it and I am sure that it will be acceptable to the Alice Springs Gliding Club.

Mr POLLOCK: I rise briefly to support this bill. I have noted what the other speakers have said in relation to trailers although I am not sure that I fully understand it. I am pleased to see the provisions in the bill relating to handicapped persons. It will provide for persons who are not as fortunate as ourselves to be issued with a licence to drive. For that reason, I commend the bill.

Debate adjourned.

MANAGEMENT OF AYERS ROCK - MT OLGA NATIONAL PARK

Continued from 4 May 1977.

Mr RYAN: The management of Ayers Rock - Mt Olga National Park is fairly important to my department because I am responsible for tourism and Ayers Rock is the major tourist attraction in the Northern Territory. I generally agree with the recommendations in the report. However, I am concerned that there does not seem to be much activity yet on the part of the Government to supply the necessary funds to carry out the recommendations. Since the original debate, there have been a couple of major developments. The Northern Territory National Park and Wildlife Ordinance has been assented to and the Ayers Rock and Mt Olga National Park has been gazetted under the Federal Government's national parks legislation with delegation for

management being given to the N.T. Reserves Board which is to be called the Northern Territory National Parks Commission. Certainly, the Reserves Board was complimented in the report. Section 38 stated that, despite the inadequate manpower and finance and historical factors beyond their control, they managed to look after the park in a pretty fine fashion. The fact that they are still in control of the park is extremely important.

The development of the area is extremely important to the Northern Territory. Tourism is our second biggest industry and we must ensure that our areas of interest are developed so that we can get the maximum number of tourists to the area. Also, the environment of the area has to be protected but I do not agree with the attitude of some people who want to protect areas to the exclusion of everybody. What is the good of protecting an area if nobody can look at it? I think this applies to Ayers Rock. The development has to take place and there has to be co-operation among the Reserves Board, the Tourist Board, the Federal Government and the people involved in the tourist industry so that the area is developed satisfactorily.

The report mentions that it could take up to 5 years to build the proposed village even if we started now. Everything we seem to talk about in the Territory involves the long term - it is 5 years to do this or 10 years to do that. If we can get the money now, it will take 5 years to establish the village. I hope that the Federal Government will make money available to develop the area.

The road is also in need of upgrading. I would like to comment on the statement made by the Department of Industry and Commerce which argued that an improved road may increase the number of tourists and exert pressure on the already inadequate facilities at the Rock. They must be assuming that the road can be built in a week. However, it is going to take some time to build the road. I would suggest that, if a decision is made to build the village, it might be an idea to start building the road at the same time so that we do not find ourselves in 5 years' time with an adequate village but no road. This sort of thing has happened before in the Northern Territory. Development has not taken place along proper lines; they concentrate on one area and completely forget about the other.

I would give the road priority over the village because, even without the village, the tourist attraction is still there. The committee's view was that many tourists do not find out how bad the road is until they have traversed it and that a good road will not greatly alter the numbers. I do not necessarily agree wholeheartedly with that. I think we will get more visitors there. They must improve the road and, on that basis, I would agree with the report. They have laid out the development plan in an orderly fashion and, providing the Government makes the funds available, I am quite sure that the Reserves Board, the Tourist Board and the tourist operators will ensure that the development does take place without the destruction of the environment.

Mrs LAWRIE: As the member for Millner has just said, there have been significant developments since the initial debate. Firstly, the Federal Government has finally gazetted Ayers Rock-Mount Olga as a national park, accepting the fact that, although it is geographically within the borders of the Northern Territory, it is of national and indeed international significance. The Federal Government has obviously also accepted the fact that local knowledge and expertise must be utilised and we would hope that, with the commencement of the Northern Territory Parks and Wildlife Service, local expertise and knowledge can be used to its full advantage, The member having Cabinet responsibility for tourism has said that we need to encourage tourism. That is right but we have to do it in conjunction with a rather delicate environment and in conjunction with the Aboriginal interests which exist there.

We come down to a problem of management. In particular the Majority Leader

and myself have wanted proper management plans and control in our national parks for years now and, if the Federal Government lives up to its promise and provides the expected funding, an adequate management plan can be provided initially for the Mount Olga-Ayers Rock Park and then to the other park of international significance, Kakadu. Like the Great Barrier Reef, because of their world heritage status, such places need adequate management and adequate finance. Political pressure will have to be continued to be pressed on any Federal Government by members of this Assembly no matter what the constitution of this Assembly may be in the future. We are all working with one accord in this area, not only as Northern Territorians but as Australians. The gazettal of the park in conjunction with the setting up of our Northern Territory Parks and Wildlife Service should mean that we will have a park of which we can be proud and which will adequately encompass the varying interests. It will need compromise on the part of the tourist industry, the environmentalists and the Aboriginal interests. One would hope that, with the Federal Government accepting the responsibility for this park, these diverse interests can be satisfied to the benefit of all.

Mr POLLOCK: I thank all honourable members for their remarks and I do not think there is any need for me to traverse over the areas which have been covered. We have heard this morning about the developments which have occurred in the last month or so since the original debate. It is quite clear that we are all anxious for the proper development and management of the Ayers Rock-Mount Olga National Park and other national parks of significance in the Territory. At the same time, there is a responsibility for the Federal Government to provide those responsible for the management and development of those parks with adequate finance to achieve their aims. You can have high ideals and aims but, if you have not got the cash to bring these things to fruition, all your aims and ideals are worthless. That was the crux of my argument in the initial debate.

The Commonwealth Government now has to put its money where its mouth is and provide the Northern Territory Reserves Board with funds and, until it does that, all our aims and ideals are down the creek. At the moment, I am not convinced that the Commonwealth Government is really coming to the party concerning the funds. I did receive quite a wishy-washy letter from the Minister for Conservation the other week in relation to this matter and it did not give any encouragement at all. Let us hope that he may see reason; I know the pressure that is being applied on him from other sources, including the Minister for the Territory. I hope we will see funds made available in the near future to enable us to achieve what we all believe is warranted.

Motion agreed to.

PETROLEUM PRODUCTS SUBSIDY BILL

(Serial 200)

Continued from 5 May 1977.

Motion agreed to; bill read a second time.

Bill passed remaining stages without debate.

CROWN LANDS BILL

(Serial 174)

Continued from 3 March 1977.

Mr ROBERTSON: In speaking to the bill, I express my regret at having to speak to a bill of this nature which is really not of the unfettered motion of this Legislative Assembly. Like its companion bill, it comes before us as a result of section 73 of the Aboriginal Land Rights (Northern Territory) Act, an act of the Federal Parliament. The Federal Parliament made that act in the belief that the nation owed a debt to the Aboriginal people. That is all very fine if that was their attitude. What they have chosen to do is to invoice the people of the Northern Territory for that debt. The legislators of the Northern Territory, the Legislative

Council for many years before this Legislative Assembly, have been very much aware of the responsibilities to the Aboriginal people of the Northern Territory.

In the making of laws to provide for the Aboriginal people, we do not need the misguided hands of the Department of Aboriginal Affairs, a department whose actions are renowned for the absurd and damaging. Further, I would like to give a brief example of just how far this madness has gone. The publicised London to Sydney car rally was to traverse at one stage the Canning stock route. The leader of the survey party of the committee running that particular car rally was instructed - and my information comes from a morning program on ABC radio which included a personal interview with the head of that survey team - by the Department of Aboriginal Affairs that he was not to speak to any Aboriginal person within the reserve through which the Canning stock route traverses. In the interest of improving the welfare of one race of Australians, we have a department telling that race that they are not to speak to any other race. This is the extent to which we have gone.

The bill seeks to give effect to many of the recommendations of Mr Justice Woodward. The Majority Leader informs me that he has had numerous representations from both pastoralists and Aboriginal people in respect of this bill and that highlights the difficulty in taking on board without due consideration - and this is not directed at the Majority Leader but at the requirements of section 73 - the recommendations of Mr Justice Woodward as gospel. I think that we are now going to pay the penalty for the fact that Mr Justice Woodward's report was never debated in Federal Parliament or in any parliament. We have accepted a massive work, the input of which was given principally by one section of the community and we are now attempting to implement that report without due consideration of the material contained therein.

Let me give some examples. I think that Mr Justice Woodward, with all the best intentions in the world, never did see nor indeed could foresee many of the difficulties which would arise in the implementation of his report. You, Mr Speaker, would be well aware of what I have heard referred to as the McArthur River case which involved the successful conclusion of negotiations between the then owners and a prospective purchaser of that property. It transpired that the owners and the prospective purchaser were both foreign companies. It is required by law that matters of this type be referred to a committee which I believe is called the Committee of Review of Foreign Investment which was set up primarily to safeguard Australian resources. Its role was solely to determine whether or not the interests of Australia were being served by foreign ownership taking over an industry or a business on Australian soil. I have it on the best possible authority that officers of the Department of Aboriginal Affairs and, I suspect, the Minister of Aboriginal Affairs, intervened in the operation of that committee and tried to block the sale by using something for which that committee was never intended. Fortunately, it is my understanding that the Minister for the Northern Territory stood firm and pointed out that it was never intended to achieve that purpose and I understand the transfer has gone through.

Let us look at another problem which Mr Justice Woodward could not foresee because of his lack of understanding of how the pastoral industry in the Northern Territory operates and what makes it economically viable. We could take the example of Muckety Station with its grazing licence attached to the boundary of its property. At all times, that grazing licence is a necessary integral part of the economic functioning of the station. Without the licence, it is questionable whether that particular property has sufficient area or sufficient good grazing land to be viable. Because of the nature of the recommendations of Mr Justice Woodward, the grazing licence is now under some very serious threat as an Aboriginal land claim. The same would apply to Supplejack Station: because it is tech-

nically unalienated crown land, that makes it automatically available to a land claim by the Aboriginal people. That is fair enough as far as it goes, but when land claims influence the viability of 2 pastoral properties, we are talking about a totally different thing.

A further effect of the implementation of the Woodward Report would be the effect on negotiations between the Department of Aboriginal Affairs and land councils or land trusts for alienated crown land - pastoral leases. Much has been said about the threat that the act poses to pastoral lessees. I spent some time last night with the Majority Leader finally trying to decide in my own mind how it works and I now accept that that threat does not exist. However, where the Land Commissioner makes a recommendation to the Minister that there is a justified interest of Aboriginal people over a pastoral lease, then negotiations can commence between the Department and Land Trust using the vast monetary resources of those organisations to purchase that property. What effect does this have? It can have one of two effects: either it can totally depress the value of that property through any other prospective buyer of that property saying that he cannot compete and therefore not bidding or, alternatively, if a large company wants to purchase that particular property or negotiate a transfer of the lease, it will push the price up to artificial levels. Thus, as a result of these manipulations, we have an artificial interference in what really is the normal market place purchasing and selling of pastoral leases. There is also the impact on economic and ecological grounds in pastoral leases. What if we have these islands of land, within the overall pastoral system, run by Aboriginal people when all other land is still subject to the normal law of the Northern Territory such as stock disease control, busfire control etc.? It is all very fine to say that these laws apply to the area if the covenants and conditions of the land which is transferred into freehold title to the Aboriginal people do not provide the infrastructure, the logistic backing, to ensure that these laws are capable of being enforced. In other words, if it is not the wish of the Aboriginal people to build all the plant and equipment that goes with the pastoral leases, there is no method of supervising the laws of the Northern Territory which are preserved in the Federal Act as applying to this land.

Perhaps the thing that concerns me most in all this is Mr Justice Fox's recommendation with regard to Mudginberry and Munmarlary Stations. Mr Justice Fox recommended that those two properties be acquired. We have been told by the Minister that this is not the intention of the act, but it has happened. Mr Justice Fox was appointed as a Land Commissioner under a Federal Act concurrent with his responsibilities under the Ranger Uranium Inquiry, and he did make recommendations with respect to 2 pastoral leases. If that has happened in the first 6 months of operation of the Aboriginal Land Rights Act, what will happen in the next 50 to 100 years? I would ask honourable members to bear in mind that, between the year 2000 and 2020 all pastoral leases in the Northern Territory will come up for renewal of lease. Having regard to that and to all the other matters I have raised with regard to the difficulties of Aboriginal people taking over pastoral leases and converting them to freehold title lands, it is quite conceivable that 50% or 60% of all pastoral leases could be bid for by the vast money holding of the Land Trust Account and the Department of Aboriginal Affairs. You would not have isolated islands operating outside of the northern system, you could end up with vast tracts of land.

I am speaking to the bill and not necessarily for it. I knew that the Majority Leader would have a very difficult time with this and the Majority Party is also having a difficult time with it. The Majority Leader will have to weigh up the balance of all those representations which are being made to him and he will have to come to a decision. It would not surprise me a bit if we see this particular piece of legislation altered quite signi-

ficantly.

Debate adjourned.

DRUGS BILLS

POISONS BILL

(Serial 178)

DANGEROUS DRUGS BILL

(Serial 188)

PROHIBITED DRUGS BILL

(Serial 189)

Continued from 5 May.

Mr RYAN; I rise to speak in support of the proposed legislation. I did speak to this bill prior to the prorogation of the Assembly and, in that particular speech, I did point out that I was totally opposed to the use of any drugs, including cannabis. I believe that this legislation will help to reduce the use of all drugs and that it would have the support of the majority of the people living in the Northern Territory. As far as I am concerned, I am representing the people who live in my electorate.

Several parts of the bill do need some amendment. Clause 4(2) should be changed. I don't think it is quite satisfactory and it should be changed so that the knowledge of the accused has to be proved. The only other change that I might suggest concerns clause 15 which says that a search under this ordinance of a female shall, wherever possible, be conducted by another female. I believe that it should be made quite clear that it should be conducted be a female or not at all.

With regard to the powers of the police, I believe this legislation can work because the police have been given the power to enforce it. All to often, when good legislation is brought before the House, the teeth is taken right out of the legislation and the people who are to enforce the legislation are unable to do so. For once, we have a piece of legislation which gives the police some power to enforce what we want to achieve by that legislation. I certainly do not advocate or want any change in the powers given to the police by this legislation. Some of the lawyers may wish to change it because it might make more work for them but, as far as I am concerned, the legislation is designed to protect the majority of people living in the country. Also, I support the penalties even though some may say that they are harsh. As far as I can see, those penalties are in line with the offences. We have made some distinction between cannabis and hard drugs and the penalties do vary. However, I believe that the penalties are significant and should remain as they are. I support the legislation.

Mr EVERINGHAM: I rise to speak generally in support of the bills but firstly I would like to try to clear up some misapprehensions that appear to exist in the minds of the people in this community. These drug bills were first introduced in August of 1976 in substantially the same form as they are at present. Although they now have important changes, these bills were widely circulated in August of last year and I passed copies of them to an active member of the Australian Labor Party at that time. I have not had any response whatsoever from that person. In the last week or two, there seems to have been some concern shown by certain persons and organisations in the community and, as far as I can judge from media reports, I could classify that concern into 2 areas.

The first area is that some people would like to see the use of cannabis made quite free and legal and, in that regard, the Northern Territory Council for Civil Liberties have called for an inquiry into the legislation concerning marijuana. I believe that such an inquiry is going on in South Australia and the findings of such inquiries will no doubt be valuable. However, their findings will depend largely on their terms of reference and the nature of the evidence given to or sought by the inquiry and of course it is possible to set up an inquiry so that you know the answer you are going to get before

the inquiry has even started. I would prefer, at this stage, to adopt a cautious attitude to the use of cannabis and its possible side effects. The evidence in favour of its use is open to question because much of it is brought forward by persons who have a subjective view on the subject. I have not made a final decision myself on the use of cannabis as yet and I am sure that, in the next few years, responsible research authorities will give us a definitive answer as to whether it is positively harmful or harmless. In the meantime, the possibility is that side effects are harmful and, in this regard, there are reports from many authorities of an independent nature such as the United States governmental research authorities. Today, the Executive Cabinet Member has tabled a report of the Board of Health Committee on Drug Dependency and Drug Abuse in New Zealand which contains the following paragraphs on page 73:

In the light of present knowledge of absorption and toxity of THC, its mode of action and metabolism, there is no justification for the view that smoking of cannabis is harmless. There is even less case for regarding the eating of concentrated resins of alcoholic extract, let alone the isolated THC. The danger of unsupportable assertions of alleged harmlessness lie in the encouragment that they give to the uninitiated to venture on their first experimental indulgence in the company of the habituated and the discouragement they give the more habituated to make any serious efforts to abate or discontinue their usage even in the face of the warnings of the inevitable miscalculation of dosage.

The following quotation from Bewley illustrates another aspect: "When marijuana is smoked, there is initially an apparent stimulation and exhilaration followed by sedation, depression, drowsiness and sleep. The effects, however, are very variable and unpredictable. Neuro-physiological effects are clumsiness, incoordination and frequently ataxia. The effects on mood vary from extreme eletion and exhilaration to depression, panic and severe anxiety. It may induce striking illusions and hallucinations. The distortion of time perception is especially marked and time appears to pass more slowly. Fantasy and imagination may be stimulated. Ideas may be plentiful but disconnected and disorganised. There may be increased auditory acuity and sensitivity to rhythm. Like alcohol, but producing more euphoria, it is sought chiefly for casual recreational purposes and as an escape from reality. The experiences are often described as being 'blocked' or 'stoned'. The use of marijuana does not in itself cause any mental or physical ill health though it may lead to social and legal problems. For example, it can be extremely dangerous to drive a car under the influence of marijuana owing to altered perceptions".

I am informed that a recent fatal motor accident in Alice Springs occurred because the young driver was driving under the effects of smoking cannabis. The report goes on:

Bewley's statement that marihuana does not itself cause mental or physical ill health, however, was written some time before recent research findings were better known. Few serious and informed medical authorities today would be prepared to so lightheartedly dismiss the risk of physical harm from steady use, in effective concentrations, of unadulterated marijuana with a high THC content. It is prudent to heed the finding of research and clinical observations referred to in paragraphs 13.7 and 13.19.

I have not made a final decision within myself and there may be more findings from research people that come to light that will convince me that the use of marijuana is harmless. For the time being, I believe that this Assembly should take the view that we have to attempt to protect some members of the community from themselves and this area of the legislation can be reviewed from time to time. At the moment, I am satisfied that the proposed deterrent effects of the legislation are in order. I am most anxious that pushers of all drugs, including cannabis, be

deterred and I do not want young people to be subjected to their attentions. If the young people are subjected to the attentions of pushers, I want them to know that they are embarking on what could be risky enterprise and urge them to think carefully before they do so.

There should be more education in the early secondary years of schooling on the effects of the use of drugs and I do not believe that legislation is necessary for that because it seems to me to be a purely administrative decision to be taken by the education authorities with perhaps the support of the Minister for Education and the Cabinet Member in this Assembly. However, the persons handling the education of young people should be objective in their approach and not subjective as I understand many are. The teachers should give an unbiased view to the young people who are in their charge.

I do not think anyone will argue about the quite severe deterrents provided for pushers of drugs and nor will the community be concerned that persons using hallucinogenic drugs - heroin, LSD and the like - will be liable to be put where they cannot get at them for quite some time if they persist in using them. I do point out that all penalties are maximum ones and the courts can award any lesser penalty or indeed a bond. However, I do point out to members of the bench that certain indications are given to them of the intent of the legislators in this matter. They have to judge each case on its merits and we all appreciate that, but this legislature wants to deter traffickers in drugs. I am sure that everyone in this Assembly regards drug traffickers as nothing more than the scum of the earth. The simple fact is that all states of the Commonwealth have agreed in principle on a maximum penalty for drug trafficking of a $100,000 fine and or 25 years imprisonment. You can see that there is a great degree of concern throughout the Commonwealth of Australia about trafficking in dangerous and prohibited drugs.

When these bills were brought into the Assembly, the Majority Party had already accepted certain recommendations for amendments. The Law Society of the Northern Territory made recommendations to the Cabinet Member in charge of the bills and these were agreed to unanimously by the Council of the Law Society. They were the result of research carried out on the legislation by Mr Ian Barker, QC, whom I would like to thank for his work. I understand that our draftsmen were unable to amend and reprint the bills in time for their introduction and it was therefore agreed that amendments would be introduced at the committee stage. Details of the Law Society submissions which will do much to alleviate public concern are in the documents that I have in front of me. The submission by the Law Society relates actually to the bills when they were tabled in this Assembly in August 1976 and therefore some of the references to clauses will be erroneous as I state them. However, I am sure that honourable members will quickly recognise the parts of the legislation to which the references relate.

In the Prohibited Drugs Bill, subject to clauses 6F and 6N, clause 5 creates a number of offences which appear to be absolete. That is to say, if the fact alleged is proved, then the person charged has no defence, no matter what the circumstance of the charge. Over the years, there has been a long history of legal debate about what offences are obsolete and what offences require proof of guilty knowledge and the dividing line is not clear. The question is particularly difficult in possession cases where one can conceive of circumstances where possession of a prohibited substance could be quite innocent.

For example, if I were to collect a parcel from the Post Office, not knowing its contents, and took it home to open it, I would be in possession of its contents. If it contained a drug, I would be in possession of the drug. If I then put the drug in the garbage tin, according to the provisions of the bill, I would still be in posession of it because it would be on land occupied by me and I could not say that I had no knowledge of it. I do not think that

the only defence should be to prove that the accused had no knowledge of the drug. He should be able to put forward a defence of reasonable excuse. As an example, I would refer to section 233B (1a) of the Customs Act which reads as follows: "Any person who, without reasonable excuse, proof whereof shall lie upon him, has in his possession any prohibited imports shall be guilty of an offence." What constitutes a reasonable excuse can be variable. The only defence contemplated by the ordinance is to prove complete ignorance of the existence of the thing possessed which is too restrictive.

A Supreme Court Judge is competent to assess what is and what is not a reasonable excuse. It could not, for example, be a reasonable excuse that the accused was a drug addict or acted in ignorance of the law. He would usually have to show that he had no knowledge of the thing possessed or that it was brought onto his premises in circumstances beyond his control or that he came into accidental possession of it, such as the post office parcel example, or that he did not know and had no means of knowing its true nature. In my opinion, the words "without any reasonable excuse, proof thereof shall lie upon him" should be inserted in the bill in the appropriate places. The suggested amendments would put the offences in a category between the two extremes of, firstly, where the onus is on the Crown to prove guilty knowledge and, secondly, where there is no defence once the fact is proved. It is difficult to see the application of the principle to the other offences created by clause 5.

Going to clause 9, it does not provide adequately for circumstances which should constitute a defence. Also, it extends the meaning of "possession" to ridiculous limits. For instance, it could be said, Mr Speaker, that you occupy all the land known as Moroak Station and, according to clause 9, if a drug were buried near some public road 10 miles from your station you could be in possession of it and would have to prove your innocence. Possession is a difficult legal concept but the common law does manage to accommodate the word in particular ways in particular circumstances with more logic than clause 9 displays. The clause is the same as clause 15 of the Dangerous Drugs Bill and I think they should be dispensed with provided that the law provides for the defence of reasonable excuse.

Regarding clause 5(a), it is submitted that this should be amended to permit an accused person to prove that the drug was all for his own use notwithstanding that it did exceed the prescribed quantity. In clause 5(b), the word "knowingly" should be inserted and, in fact, that has already been done as a result of discussions between members of this Assembly subsequent to the introduction of these bills in August last year.

Clause 6(a) which provides for police to enter into certain premises without the formality of a search warrant is another cause of concern. One could imagine the situation where a party was going on and the police staged an entry into the house and all the persons at the party were taken to the police station and put into the cells simply because a particular person at that party had drugs in his possession. What I would propose, and I believe a majority of members will support me, is that the bills should be amended to provide that, in all circumstances, a search warrant must be obtained before entry is permitted into premises. After all, Justices of the Peace who can grant search warrants are readily available at almost any hour of the day or night and the police know where they can find them should they need them.

Mr Withnall: Hear, hear!

Mr EVERINGHAM: I am pleased to hear the support of the honourable member for Port Darwin but I might mention, in passing, that the provisions of a certain environmental bill in respect of entry and search introduced by that honourable member were rather more draconian than the provisions in this bill. We have on the statute books, provisions in relation to entry and search granted to wildlife officers. We seem to be prepared to trust them to enter into places without warrants but, because it is the poor old policeman,

everyone is immediately suspicious. I do not believe it is necessary for the police to enter premises without a warrant as it is well within their capability to obtain a warrant should they reasonably require one. Subject to the qualifications that I have mentioned, I support these 3 bills.

Mr WITHNALL: I rise to speak on these bills, principally on 2 grounds. First, I find the contents of the bills to be completely outside my comprehension. I have often spoken in this House about the tendency for the law to be made in esoteric terms by public servants and I find these bills to be a complete justification of my former complaints. One bill prohibits and one bill labels as dangerous a number of drugs, but the Assembly as yet has no information as to whether these are dangerous drugs, except that somebody has said so. We have not had any statement at all as to what the danger in these drugs really is nor have we had any statement in respect to particular drugs as to how they affect people and whether or not they really are so dangerous as to be labelled "dangerous" and so excessively dangerous as to be labelled as "prohibited".

Drugs include a very wide range of substances, many of which are permitted and not prohibited. It starts right at the bottom with honey and ranges through tea, coffee, tobacco, aspirin or any of the phenacetin compounds going right through to the drug heroin which is probably one of the most dangerous. If one wanted to define a "drug", one would say that it was something which affected the human body or affected human conduct. That is as satisfactory a definition as you could achieve. But what I want to know, in the Prohibited Drugs Bill is what is DMHP-3 (1,2 dimethyheptyl) - 1 hydroxy - 7, 8, 9, 10 tetrahydro - 6, 6, 9 - trimethyl - 6H - debenzo (b,9) pyran?

Mr Ryan: Soda water with a Bex in it.

Mr WITHNALL: It seems that this Assembly is being asked by the honourable member to legislate on the blind. I don't know what it is. He has not told me what effect it has. He has not told me in what way it affects the human body or in what way it affects human conduct. I can go through this schedule of the Prohibited Drugs Bill ad nauseam and I would still have no information as to the conduct and the effect on the human body that was being prohibited by the bill. In legislating, one really ought to know exactly what one is legislating against and not permit the Department of Health, in this instance, simply to say, "This is a prohibited drug and consequently you had better legislate to prohibit it". There are a number of things in the schedule the effects of which are common knowledge but the honourable member has not explained why certain drugs set out in this schedule should be prohibited. He has not described the effect they have on the human body or on human conduct. I suggest to the honourable member that some better explanation might be forthcoming to this Assembly than the explanation that he has already proffered.

I come now to consider the aspect of the bill which, in common with the honourable member for Jingili, I find particularly oppressive. I refer to the powers given to the police officers. The powers are contained in both bills. In the Dangerous Drugs Bill, there is a provision in clause 24 that where a member of the police force has reason to suspect that an offence against this ordinance has been, is being or is about to be committed - about to be, mind you - on or in certain premises or in relation to the use of those premises and the exigencies of the circumstances at the relevant time make it impractical to comply with section 23 which requires him to get a warrant, he may, with assistance, break into, enter and search those premises. Back in the 1950s when I was the Crown Law Officer, I introduced into the Legislative Council a bill relating to the powers of police in relation to firearms, One of the powers contained in that bill of March 1955 gave the police authority to enter premises where they suspected there was an unregistered firearm. Within three years, I found, to my horror, that police suspicions about unregistered firearms had grown by an enormous degree. Wherever the police wanted to enter a premises, they suspected that there was a firearm

in it; 9 cases out of 10 there was not but, nevertheless, they had that suspicion and that was the end of it. I am not directing this against any particular police officer but I am saying that there can be a tendency to do their jobs as efficiently as possible and to say, "I cannot get in there; I think there are some stolen goods there, so I will suspect."

I grant the honourable member in charge of the bill that there is a provision in clause 25 that the member of the police force who exercises the power contained in section 24 shall forward a report in writing to the Administrator. It is expressed as being a duty to forward it as soon as is practicable. It may be that he cannot forward a report to the Administrator unless it goes to his sergeant, from the sergeant to the inspector, from the inspector to the commissioner and from the commissioner to the Administrator and, by that time, the prosecution resulting from his entry into the premises would be all over and done with and would be a dead letter. What happens if he doesn't forward a report? Nothing is said. It is said only that the evidence is not admissible. He has unlimited time because "as soon as is practicable" is a very vague statement. It may be that the prosecution will be all over long before the time which is described "as soon as is practicable" has expired.

In any event, he is only required to forward a report. One would have thought that, in circumstances such as are envisaged in this bill, the forwarding of the report alone would not permit the admission of the evidence because the report may show in fact that it was a completely improper exercise of the authority conferred under section 24. But once it is forwarded, it doesn't matter what the Administrator may do with it. He is not empowered to do anything once it is forwarded and then the evidence becomes admissible - never mind whether it was a wrongful exercise of the power or not. As soon as that report is forwarded, the evidence is admissible. Somebody really ought to have a good look at this sort of thing if it masquerades in this bill as a safeguard to the people from invasion of their privacy. When you examine it, it is no such thing at all. It merely says that every policeman may, if he thinks he cannot get to a Justice of the Peace, search premises. As soon as he does that, the evidence is admissible if a full report is forwarded. I find this completely unacceptable.

I come now to consider what the member for Jingili spoke about the difficulty one might have under the bill proving that a prohibited drug is not in one's possession. I speak with some feeling about this because I happen to be the occupier of 224 square miles of country and I am not too sure that I get over every one of those 224 square miles every day. Consequently, because of the definitions in the bill, I may very well be in possession of some marijuana plants and may very well be liable for that even though I have no knowledge of it. The bill says that I can come and prove that. Well, Mr Speaker, be damned to that. In the circumstances in which I am charged with possession, somebody proves I have possession and somebody proves that it is a knowing possession and I agree entirely with the honourable member for Jingili.

Clapping from the public gallery.

Mr SPEAKER: Order! The gallery can take no part in these proceedings.

Mr WITHNALL: I do not enter into the contest as to whether or not marijuana or any other drug ought not to be permitted. I do not have enough knowledge but what I do have to say about it is that, if the drug marijuana does seem to be in general use - I do not know and I do not attempt to prognosticate as to future actions - it seems to me that the final legislative power in every community resides with the people and, if the people regard a particular drug or a particular substance as being acceptable, there is no doubt that, in the long run, it will become acceptable according to law.

I do now know enough about marijuana to advocate that it should be acceptable. I think that, at the present time, our knowledge is fairly in-

sufficient. However, I think that one must understand that, in the long run, the will of the majority of the people will have its way, I do not think that the majority of the people now approve of marijuana. It may be that, in future years, some evidence of the approval of the majority people will become available and, call me a legislative coward if you like, I am waiting for that time. Before I make a decision, I am waiting to see what the majority of people want. Isn't that what an elected Assembly is all about? We are elected to make laws for the people and surely to goodness we can say that we make the laws that the people want to be made. We exercise a certain care and discrimination over the laws that we do introduce and we also bring into play a good deal of imagination and understanding which otherwise might not be available. But, in the long run, every democratic institution enacts the laws that the people want and, if the people want the wrong laws, they die by it. That was the trouble with many civilisations that have departed. They wanted the wrong laws and they have died because they were wrong. If we call ourselves democrats, we must accept that, in this Chamber, we enact the laws which we see to be the desire of the majority of the community.

Mr BALLANTYNE: I rise to speak on the drugs bills, particularly the Prohibited Drugs Bill. I think we have to understand the difference between the two. The 2 bills are separated by the fact that the Dangerous Drugs Bill concerns drugs that are prescribed by medical officers and the Prohibited Drugs Bill concerns those drugs which are detrimental to a person's health. However, I believe that, in some fields of psychiatry, they do use some of the drugs to help their patients.

The bill that has brought most of the complaints from my constituents is the Prohibited Drugs Bill. I did make it my business to hand out quite a number of copies to my electorate and I have had some very good discussions with people who have looked into them deeply and have told me their feelings and also the feeling of other people who were perhaps a bit scared to come forward and talk about it. I have found that people are a bit scared to speak to someone about a dangerous prohibited drug. I would have liked more comment from my constituents. I would have liked to have spoken to more people who could be honest in saying. "I have smoked marijuana and I have never had any problems; I'll continue to smoke it." I am not going to go down to the police station to tell the local gendarmes that that person is a user of pot. That is one of the biggest problems that I have had. I hope that there are not too many people in my electorate who are actually using pot because it is a very questionable drug and it has caused a lot of comment throughout the whole world.

The people were most emphatic that the hard drug users are the ones that should be looked at. They agree with most of the provisions of the bill, particularly those relating to the trafficking in harder drugs. They were also a bit concerned about the terms of imprisonment for people who are hooked on heroin or any of the hallucinogenic drugs such as LSD. I would tend to look at these people as sick in their minds. They are sick of the society in which they are living and they are perhaps persuading other people to take the drugs. They can't kick the habit so they get themselves involved in an awful mess and turn to breaking the law to obtain money to buy the heroin. I would try to look at rehabilitating these people rather than sentence them to imprisonment. I know that we have to have harsh laws to act as a deterrent but, when you are dealing with sick people, the best method is to try and help them by educating them and perhaps rehabilitating them.

Mrs Lawrie: Perhaps not by sticking them in prison.

Mr BALLANTYNE: I don't favour that at all. I don't believe that sick people should be imprisoned. A jail is no place for a sick person. They should be hospitalised and treated. That is one of the biggest things that we are fighting today because there are people who are too scared to come forward and say, "I am on drugs; I want to kick the habit; can you treat me?" Some people treat these people as complete outcasts

and it makes them withdraw into a certain social structure.

The dependence on drugs today is something that astounds me. I have been fortunate enough not to get myself involved in the drug scene but you could quite well say that either of my children, one is 16 going on 17 and one is 13, could be vulnerable in our society today. They could be introduced to drugs by all sorts of methods. "Drug dependence" is a term used by the experts generally these days to replace the words "addiction" and habituation" because it becomes scientifically unsound to maintain a single definition for all forms of drug addiction and/or habituation.

The incidence of drug dependence is brought about by many causes. There are legitimate medical purposes, many people have to live day by day by taking drugs, people who are diabetics, other people who have heart complaints. I often wonder whether some of the drugs in the long term have an effect and may shorten the life of that person, This is something that I worry about. It is well known to medical science and sometimes the actual complaint is not too bad but, by trying to cure it with drugs, the people may die much earlier.

There is another terminology that is used and that is "experimentation". This is one of the biggest problems today. Young people are more vulnerable to experimentation. We are supposed to be a more permissive society and kids seem to be able to do things a bit more freely than they did in the past. Perhaps the biggest problem today is the lack of discipline in the homes. Sometimes discipline is the reason why a lot of kids leave home at a much earlier age and they mix with other people who are experimenting with drugs. Boredom can cause people to take drugs. Persuasion by another person is one of the biggest problems, particularly with younger people. In America, a hundred judges said that one of the biggest problems was that most of the pushers were using younger people who were more vulnerable. Another thing is the easy availability of some drugs. People become interested and go on experimenting. There have been experts who say that the younger groups and, more particularly, females in the middle age groups, tend to become drug dependent.

It is the younger people that I am concerned about in society today. Cannabis has become the most talked about drug in our society in the past few years. It even stems right back some 4,000 years because they have found seeds and capsules of opium poppy in the pile works of the Swiss lake dwellers. In 1700 B.C., the drug was used medicinally in Egypt and by the Persians and Greeks. Homer describes the effects of sorrow easing opium and we know that opium has been one of the worst drugs to affect people in society over the years even though opium itself is used medicinally for the treatment of various disorders.

Marijuana is described as a harmless social lubricant which creates a feeling of euphoria, taps the wells springs of creativity and heightens the conception and enjoyment of good music, art, literature, food and sex.

Mr Withnall: You sound like an addict.

Mr BALLANTYNE: On the other hand, marijuana destroys brain cells, exposes people to disease, reduces men to impotence and leaves all its users psychologically scarred and wallowing in a nothing-matters torpor. From the information that I have read, there is very little evidence that anyone has died from the effects of smoking, drinking or eating marijuana. It has been said that marijuana damages cells of the brain because of the build up of the THC, it damages chromosomes, causes male sterility and increases the risk of cancer. All these things have been going on for years. There have been so many people writing about it, talking about it and yet today many people do not even consider that. They want to be actively involved in smoking marijuana. Most of the people that I have spoken to would not take the hard drugs but I often wonder whether that is the stepping stone, particularly with the younger people.

The bill has caused concern to people

and certain clauses have opened up quite a lot of discussion. Some of the other members have discussed some of the clauses which have been discussed with me. I refer particualrly to the powers given to the police. The honourable member for Jingili did say that he would like to require a warrant to enter rather than rely on the discretion of the police at the time. I should say that there may be cases where the police have to exercise that power and I do not think they would exercise that power unless it is extremely necessary. I don't know how they are told about these places; I don't know whether they have information or whether they follow people. It does worry me that ordinary citizens may be subjected to a search of their own premises or that they could have some visitors and, all of a sudden, find a policeman at the door who wants to come into that premises and search it.

Another part of the bill that does concern a lot of people is clause 15 which states that, wherever possible, the searching of a female shall be conducted by another female. That is a little bit open-ended. I believe that that clause should be amended. One of the biggest complaints that I heard relates to the penalties for possession of cannabis. I would tend to agree with the honourable member for Jingili when he said that some of the clauses have to be altered, particularly 5(a) and 9(1)(b). I am particularly concerned about imprisonment sentences for people who are in possession of cannabis because I would hate to think, with the number of people who are supposed to be smoking marijuana, how many people we might have in jail. I know that the magistrate can use his discretion. Since 1974 to about 1976, there have been about 272 cases before the court in Darwin, most of them for possession of cannabis. I don't think that any of these people were put in jail although I do know of one case where someone was bringing back large quantities of marijuana into Australia.

I would try to stress to the members of this Assembly that I think drugs are of concern to all of us but I cannot see how putting drug users in jail, and I am not talking about pushers or traffickers, will help them. I think we must look towards rehabilitating these people. I do not know how but at least we could try to establish some educational program, particularly for schoolchildren and there are people trying to do this very thing. I do not know how much notice people take. There is still that old experimental thing in people's minds that they would like to try it first and speak about it later. I have not been involved in it, but I pity the ones who are.

I have considered both the bills, I did get a bit confused when it came to all those definitions in the first schedule. I took it upon myself to get in touch with a pharmacist who told me that the definitions as laid down there are authentic. It is the technical way in which they write and most of them have been checked out by the Health Department. Thus, there is no problem with regard to that. We can always make fun of something that is factual and I do not think that the member for Port Darwin was quite serious when he was reading it out.

The Dangerous Drugs Bill did not draw any concern from my electorate. Most people seem to agree with the contents of the bill. Since the bills have been separated now, that is where the whole problem lies. The greatest concern relates to the powers of the police and the penalties for offenders. I do not think addicts should be jailed; they should be hospitalised or helped in some way. I would definitely stress that the highest penalties should be for people who are trafficking in hard drugs. There was a report in the newspaper on Sunday where 3 people were found dead in New South Wales. They found that these people could be mixed up in the drug field. Those are the things that worry me and I am sure that they concern all members of the Assembly. I support the bills and I look forward to the amendments.

Mrs LAWRIE: It does seem apparent in the Assembly now that there is recognition of the difference between soft and hard drugs which various people have been trying to define for the past decade. The honourable member for

Nhulunbuy indicated that all members of this Assembly are starting to realise that there is a difference and that the community has a different attitude to the use of soft and hard drugs. Of course, in the second reading, one is speaking generally to bills before the House and not specifically. I think that the debate in the committee stage will be more informative and more interesting than the second reading debate.

The honourable member for Millner said - and I hope that I do not quote him out of context that he was totally against the taking of any drugs. It is of this kind of statement that we must all beware. Clearly that is wrong. If the honourable gentleman has a headache, he will take a prescribed powder or some medicine. The same honourable gentleman, to my vast discomfort, smokes cigars, and nicotine is a drug. I know of only 2 members of this House who do not or who have not, in my presence anyway, indulged in alcohol. I am not one of them; I drink. The vast majority of members here do drink alcohol and that is the taking of a drug. When one starts to discuss the use and production of a drug such as marijuana, one has to take it in that context and one has to see the relevance of the other condoned drug use in our society.

One of the problems I had in discussing the use of marijuana, or pot as I shall refer to it in my speech, is that I think most debates are mainly hypocritical. There are a very few objective reports. It is a bit like uranium; one tends to be for or against and sensible argument is lost. In the drafting of the bill, it does appear that the draftsmen threw out the baby with the bath water in attempting to deal with what some people regard as a problem, again referring specifically to pot, and what other people regard as a right. He has come down rather alarmingly on the side of those who would prohibit the use.

The honourable member for Jingili, who is President of the Law Society, made some relevant and useful comments, unlike the member for Millner. He quoted from this little booklet "The Board of Health Committee on Drug Dependency and Drug Abuse in New Zealand. I tipped off the honourable member that I intended to make this statement and I make it in a lighthearted vein. He quoted from page 73 the Bewley illustration of what happens when one uses marijuana. May I suggest, to keep this debate in context with modern society and relevance, that what he quoted could equally apply to the member for Jingili on his election to this Assembly. I will requote in that context and this could apply to the member for Jingili and a couple of others. When that person is elected rather than when pot is smoked, there is initially apparent stimulation and exhilaration followed by sedation, depression, drowsiness and sleep. Has that not happened to certain members of elected bodies following election? One has to be very careful in quoting little paragraphs from committee recommendations. They should not be taken out of context and we should not lose sight of the overall problem.

The honourable member for Jingili stated that, as far as the legalisation or decriminalisation of pot is concerned, he is waiting to have it proved to him that the drug is "either positively harmful or harmless". That is an impossible undertaking. I think the honourable member will be waiting forever if he seeks such an assurance. I cannot think of any substance freely available which is either positively harmless or harmful. Water, for example, can be harmful if taken in excess quantities, quite apart from the fact that one can drown in it - I say that quite sincerely. I am not waiting for any substance to be proven completely harmful or harmless. Some may be proven completely harmful but I cannot think of one that can be proven completely harmless.

The honourable member also spoke of a road accident in Alice Springs which he believed was directly attributable to the effect of someone having smoked marijuana. That is sad, it could be said that it is tragic. How many road accidents have been directly attributed to the intake of alcohol? That also is tragic so let us get these things into perspective. It would be facile of me

to stand here and say, as many people have and are continuing to say, that the effects of smoking pot are less serious than those of drinking alcohol. That may well be medically proven. Certainly, I will stand here and say that I do not know very many happy drunks. I know some very unfortunate drunks who cause great harm to their fellow citizens. I do not smoke pot but I believe I have seen people under the influence of pot and they were mainly euphoric. Certainly, let there be no ambiguity about my statements. I view with the greatest suspicion the taking of any drug and the driving of motor vehicles on the road and that includes not only alcohol, pot and other psychotropic substances but also many medications prescribed by doctors who normally say, "You may take this but please do not drive." I have in my possession a medically prescribed drug where this was clearly understood by myself. If I find that I have to take this, either I will not drive or I will not take it until I am in a place where I have no necessity to drive. Let us not have the old thing being brought up about pot being harmful because, if you smoke it or eat it and drive, you are a danger. If we smoke, drink or swallow many substances and drive, we are a menace to others on the road. My feelings about the rights of people to drive on the roads are fairly strong and are very restrictive. I don't believe anybody has a right to get a motor vehicle licence and then act in a totally unpredictable way on the road.

Having said all that, let us get back to pot versus alcohol as a dangerous drug. Alcohol has been medically proven to be an extremely dangerous drug and marijuana is in the balance. Other speakers have been basically conservative on this subject and I find that acceptable. One of the speakers said that he has yet to have it proven to him that the majority of people approve of marijuana. I echo that I have yet to have it proven to me that the majority of people approve of marijuana but I can say that a large number of people tolerate it and that is different. Tolerance of the use of marijuana in Darwin is fairly extensive. I dislike hypocritical debates where people get up and say X drug is acceptable but Y drug is wrong. They have to be seen in the context of the society in which we live and in the effects of the taking of that drug. That particular relevance has not yet come out in the debate. We have not seen produced by the sponsor of the bills or by any other person here the medical definitions of the effects of taking alcohol and pot. Perhaps honourable members feel that this is readily available. Again, I hark back to uranium. I would agree there are X experts saying something is acceptable and Y experts saying it is not acceptable. The whole point is that there is a continuing and furious debate in our society and we have to be very careful about making a unilateral declaration that something is wrong. Some western countries have decided pot is totally unacceptable. In some parts of the United States, it has been decriminalised and, in other parts of the United States, there are extreme variations in penalties for the use of drugs, pot being on the extreme lower scale, heroin and other hard drugs on the top of the scale. That also has to be borne in mind by members of this Assembly.

The honourable member for Nhulunbuy said that the people from his electorate appeared hesitant in speaking to him on this legislation. May I say that the people from Nightcliff have exhibited no such hesitancy. In fact, since the legislation received an airing in a particular local journal, my phone hardly stopped. Many callers were from Nightcliff and many from other electorates and I urged them to contact their local members. The opinions they were expressing have really been put by other speakers here today but I feel I must reiterate them. There is extreme concern in this community about the use of hard drugs. There is a very strong feeling that the traffickers in hard drugs, those making a profit out of pushing an addictive and destructive drug to people, should be punished to the limit of the law. There is also a realisation within this community that one cannot lump the use of pot in with these other totally destructive drugs, heroin in particular. I have no sympathy for the herion pusher. I do feel that I am reflecting the views of those whom I was elected to

represent when I say clearly that we should not confuse it with pot; they are very different substances. There is tolerance in this community towards other people smoking pot even if one does not indulge in it oneself. There is knowledge amongst respectable middle class European members of this community that their peers smoke pot.

With that knowledge and with that tolerance, not necessarily use, why is pot so suspect when medically it seems to be not as destructive as alcohol? Why is alcohol so accepted? First, alcohol has been used by us a lot longer than pot. Secondly, there is a lot of money to be made by the Government which it accepts gladly from the distillation, distribution and consumption of alcohol. All governments receive a large rakeoff from the pushing of what is known to be a dangerous substance. There is no profit to government as yet in the pushing of pot.

This brings me to one particular aspect of the bill. There seems to be an acceptance by members that the use of pot is different to the trafficking in pot. They seem to be saying that they don't like the profit motive but they accept that people do smoke pot and possession should attract a lower penalty. They don't like the profit motive and therefore, of course, they should be against the pushing of alcohol. The growing of pot, especially in tropical and sub-tropical areas, is very simple. Indeed, as the honourable member for Alice Springs has said, it can be grown in pot plants. They are locally known as tomato plants. The growing of one's own tomato plants is a very simple process. It is very easy to grow one's own supply of pot and have in excess of the prescribed quantity without having the slightest desire to traffic in it. A couple of the honourable members opposite are showing some interest in this particular point and I am delighted with that. The Majority Leader, with his scientific background, does appreciate, I think, that it is very simple to grow pot and that the assumption which appears in this legislation that the prescribed amount automatically leads the courts to assume one was growing it for profit is not necessarily correct.

Coming to some particular parts of the legislation, it was with a feeling of perhaps not delight but something akin to that, that I heard the member for Jingili and a couple of other speakers say that they realise that certain provisions of this legislation need revision, in particular, the powers given to the police to enter premises without warrants. I will not labour that subject as it does appear that it will be substantially amended and I will speak to that in committee. I would point out to honourable members that there has not been one instance quoted when the additional powers sought for the police would have assisted in bringing an offender to justice. I wonder if the Member for Law and other interested people have sat in a magistrate's court as I have and listened to drug cases. I wonder if honourable members have heard the comments of the Chief Magistrate relating to the operation of the Drug Squad because they make very interesting listening. The Chief Magistrate on various occasions has expressed great concern at the manner in which the Drug Squad conducts its investigations. If one reads his concern in statements from the bench, in conjunction with the legislation in front of us, one has even more reason for concern. The powers which in this bill would be given to the police are too far-reaching. However, I do take on board the statements from the member for Jingili in particular which lead me to believe that those powers will be altered significantly in committee. The community is concerned about the power of the police to enter premises without a warrant.

Another matter of extreme concern has been the very broad definition of "possession". The honourable member for Port Darwin expressed its succinctly and the honourable member for Jingili earlier expressed the same fears from the Law Society as to the broad definition of "possession". I will not rehash that.

If one moves on to forfeiture, which did receive mention in the press and I do not believe it has been yet ade-

quately dealt with, one sees that, under the provisions of the bill, goods seized by the police are not necessarily returned to the owner if a case is not proceeded with. If the police decide, on the basis of the evidence available, not to proceed with the case, one would assume they have decided that there was no case. For the person to regain his possessions, he has to eventually go to a Court of Summary Jurisdiction. I am sorry that the member for Jingili did not comment on this particular provision in his speech. I must assume that wiser heads will prevail and the Majority Party will accept the need for fairly wide amendment of that particular section.

I have no further comments to offer except one, There are a few honourable members who are probably wondering about my personal feelings on the use of pot. Let us come back to pot, having made quite clear my feelings on the trafficking of heroin. I may also pick up a point of the honourable member for Nhulunbuy, I see no sense whatsoever in putting the unfortunate addicts of heroin in jail. They really are sick and they will die very quickly without treatment, To get back to pot, I do not smoke it but then I do not smoke at all. I do drink alcohol and I am aware that it is pretty hypocritical of me to stand here and say that I will drink my vodka but you cannot smoke your pot, especially when the results seem to be that the pot smoker is a nicer person to be with than the excessive vodka drinker. The only difference is that I have to try to reflect community standards and community wishes. I can only repeat that I believe there is widespread tolerance of pot smoking; there is not yet total acceptance of it nor, of course, is there total acceptance of the use of alcohol or nicotine.

I would like to see a full-scale de bate without prejudice within this Assembly and a full debate in the community as to whether or not pot should be totally decriminalised. It is not something that I would do in the context of this legislation because it has not received the debate it deserves. If my position seems equivocal, it is because it is just that. How can I stand here and say that a significant proportion of our community should be imprisoned or heavily fined for doing something which has been medically shown to be less harmful than something which is condoned by our society. I am not about to introduce legislation to legalise pot because I do not know enough about it but I view with concern legislation which goes too far the other way, which tries to pretend that there is no tolerance of pot smoking and which tries to make criminals out of a large section of our community who in any other context would be appalled at being considered criminals. I am not about to try to legalise pot because I do not know enought about it. I do know a lot about the effects of alcohol which is very legal and from which the Government derives a great amount of revenue. I think there is a lot of hypocrisy in debate about pot smokers.

Debate adjourned.

ADJOURNMENT DEBATE

Dr LETTS: I move that the Assembly do now adjourn.

Mr POLLOCK: I want to speak about a couple of matters that affect my electorate and my home town. We have a classic monument now in Todd Street to the futility of some of the actions of the Postal Commission. There has been in Todd Street on the intersection of Parsons Street, right outside the airlines offices which are close to the corner and where all the buses that come from interstate stop and park, a letter posting box, or at least there was until a month ago, when the Postal Commission became frantic about its new post office which is opening not so far away in the next street, Hartley Street. The Postal Commission decided the letter box outside Ansett in Todd Street, which is right in the hub of the business centre of town, would have to be moved. They moved it further along Todd Street, outside a service station, a fountain and a tavern. This, of course brought a great amount of comment from some people so 3 weeks later, the Postal Commission moved the posting box again, at further expense, to halfway between where it was before and where they moved it the first time, Now it is outside an electrical goods

store. A great letter box is there serving as a monument to the futility of some of the operations of the Postal Commission. It is absolutely ridiculous the way they carry on. Because the box in their opinion was too close to a post office, they took it away from the crossroads in the town where everybody who is going down Todd Street would pass it, and moved it to a quite useless point.

I would like to refer to another matter relating to the Postal Commission. People from rural areas and Aboriginal missions who come into town on Saturdays and for Friday night shopping have used for a number of years a non-official post office operating in premises in Todd Street. This is known as the Alice Springs south post office. Many people would consider it as being the main post office in Alice Springs because it is situated in the main street. With the building of the new post office in Hartley Street, which has not opened as yet but is all but complete, the Postal Commission decided that the post office in the main street in Alice Springs which operates for longer hours than the post office would have to be closed. The tourists who visit Alice Springs and the people who come in from the stations, missions and settlements and who use the services of the Alice Springs south post office after five o'clock in the evenings and on Saturdays and Sundays will now be deprived of the service. The new post office, a million dollar investment, is not far around the corner but, of course, it would only be open Mondays to Fridays between nine o'clock and five o'clock. If you cannot make it between those times, too bad.

After a great deal of pressure from a number of people, including myself, the Postal Comission has reluctantly decided to allow this office to remain open for a further twelve month period during which time it will carry out some survey and, I would imagine, give the post master who operates a non-official post office a pretty hard time and see what they can do to beat down his business or find some excuse to close him up. The people of Alice Springs deplore this policy being employed by the post office and call for an assurance from the Postal Commission that the Alice Springs south post office will remain open indefinitely and not be reviewed again in a further twelve months. People who are entitled to provide a service to the many people I have mentioned should not be faced with the threat that in twelve months' time their business might be taken away from them.

Mr KENTISH: I rise to remark on a subject which I introduced last year into this Assembly about people living on the south eastern side of Darwin - refugees from the cyclone and other residents who had been there before. Some time towards the middle of last year, these folk applied for land for recreation purposes at the 19 or 20 mile and they had quite a struggle on their hands. Amongst other things, they had been offered $50,000 from some recipients of cyclone funds for the building of a hall. They applied to the Government for 35 or 40 acres of land at the 19 mile at a suitable position on the Stuart Highway for a recreation reserve. In making that application, they were foolish enough to mention that they wanted to build a hall. The rest of the application was forgotten and they were offered 1 acre to build a hall for which they were relatively grateful. However, they rejected the offer because they had much more than this in mind.

I took the matter up in this Assembly and other people took it up in other places and, after quite a long struggle, the people were awarded something like 35 acres of land on the highway past the water pumping station near McMinns Lagoon. This was quite a magnanimous gesture of course - 35 acres of bush land in a small place like the Northern Territory and they were quite happy about such a gesture. There would be 4,000 to 5,000 people out that way, and the organisations wanting to use that land, numbered at that time something like 10. Today I am happy to be able to report that this allocation of land has been put to very good use. Local residents with tractors, bulldozers, frontend-loaders and graders joined in the task of quickly preparing cleared areas and grassing them. The wet was a little bit tardy in

coming and it gave them extra working time and they were able to get two fairly large ovals nicely grassed before the wet became too severe to bog them. As soon as the land was dry enough, the grass was mown and it is a very good lawned area. They have 2 of these lawned areas.

I called in about 2 to 3 weeks ago and I was surprised at the activity at one of these places between the 19 and the 20 mile. There would have been about 100 vehicles, about 20 to 30 horses and floats and 100 to 200 people enjoying themselves at a polo crosse tournament. They have had 2 or 3 of these tournaments since the wet ended, Today, I would just like to remark on the swiftness with which the community out there took up the challenge of this grant that was given to them. There are trustees from various branches of the community, from the Darwin Rural Landholders, from the McMinns Lagoon Association, from the Humpty Doo Progress Association and so on. The trustees are a very lively lot. I don't know if they have had any football matches yet but they have a second oval that is ready for football. On behalf of the citizens of that area, and I live close to that place myself, I would like to express their thanks and appreciation for the sanity and goodwill of the Northern Territory Administration in finally granting them this area for recreation.

Motion agreed to; the Assembly adjourned.

Wednesday 8 June 1977

Mr Speaker MacFarlane took the chair at 10 am.

PETITION

AUSTRALIAN FOREST AND TIMBER RESERVES

Mr POLLOCK: I present a petition from the Byron Bay Mission of the Order of the White Cross International expressing concern with the rapid diminution of Australia's forest and timber reserves and ask that this House take certain steps to encourage afforestation. The petition has been certified by the Acting Clerk as being in conformity with standing orders. I move that the petition be received.

Petition received.

PETITION

DRUGS BILLS

Mr TUXWORTH: I present a petition from certain citizens of the Northern Territory relating to the drugs bills now before the Assembly. The petition has been certified by the Acting Clerk as being in conformity with standing orders. I move that the petition be received and read.

Motion agreed to.

TO THE HONOURABLE THE SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY FOR THE NORTHERN TERRITORY

The humble petition of interested and concerned citizens of the Northern Territory respectively showeth that there is widespread public concern relating to the provisions of the Dangerous Drugs Bill (Serial 188) and the Prohibited Drugs Bill (Serial 189) which destroy many fundamental principles of British justice. Your petitioners therefore humbly pray that these bills not be passed in their present form because they: (1) presume a person guilty unless he can prove his innocence; (2) allow private property to be forfeited to the Government even if no offence is proved; (3) allow males to carry out a body search on females; (4) allow persons to be detained without being charged with an offence; (5) allow houses and premises to be broken into and searched without the authority of an independent Justice of the Peace or Magistrate and do not provide compensation in the event of a mistake. And your petitioners as in duty bound will ever pray.

SMALL CLAIMS BILL

(Serial 202)

Bill presented and read a first time.

Miss ANDREW: I move that the bill be now read a second time.

The bill is a small but important amendment to the Small Claims Ordinance. This ordinance, which came into operation last year at the instigation of the Majority Party, is proving to be a very successful addition to the judicial system in the Northern Territory. It is designed to help the people with a monetary claim not exceeding $1,000 to take action to a court with a minimum of expense and trouble. The court is obliged to deal with the claim as expeditiously and with as little formality as possible. The legislation is of particular benefit to the consumer although consumers are not the only category of persons who may bring actions in the Small Claims Court.

A number of states have provided in their equivalent legislation that provisions of the small claims tribunals in those states must be publicised. This can have an added salutory effect on the conduct of a person regularly engaging in undesirable business activities. It also serves to publicise the activities of the court. It is considered that a similar provision should be added to the Northern Territory ordinance. As the Small Claims Court in the Northern Territory is an adjunct of the Local Court and holds its inquiries in public, unless the court otherwise orders, this amendment will sit with the principal ordinance without difficulty. Should this court decide to prohibit the publication of the pro-

ceedings then the bill provides that there will be no obligation for the Clerk to comply with the requirements of this amendment.

I draw honourable members' attention to clause 3 and the reference to "Executive Member". I foreshadow the possibility of an amendment because the principal ordinance is not amongst those transferred to the Northern Territory. I commend the bill.

Debate adjourned.

PHARMACY BILL

(Serial 177)

Bill presented and read a first time.

Mr TUXWORTH: I move that the bill be now read a second time.

At present, section 39 of the Pharmacy Ordinance requires a registered pharmacist to be in attendance at all times during which a pharmacy is open for business. This causes problems, particularly in smaller centres where there may be only one pharmacy manned by a single pharmacist. If that pharmacist has to travel to a larger centre on business or is otherwise unable to be in attendance then, to comply with the law, the pharmacy must be closed. Honourable members will be aware that pharmacies these days provide a far wider range of services than the filling of prescriptions and the need to close a pharmacy under these circumstances not only deprives the pharmacist of a proportion of his income, but also deprives the community of a number of services which the pharmacy provides.

The Pharmacy Board has recommended that the ordinance be amended to allow a pharmacy to remain open during the absence of a pharmacist provided that all drugs or other substances subject to restriction under the Poisons Ordinance or the Dangerous Drugs Ordinance are securely locked away in a separate part of the business. That is the purpose of this bill. It achieves its purpose by amending section 39 to require that the dispensary section only of the premises must be locked during the absence of the pharmacist. This will ensure that unqualified persons will still be debarred from access to dangerous substances whilst allowing the non-dispensing side of the business to function as normal when no pharmacist is in attendance. I believe the bill will enable pharmacies to provide a better service, particularly in small communities, and, for this reason, I commend the bill to honourable members.

Debate adjourned.

LOCAL GOVERNMENT BILL

(Serial 204)

Bill presented and read a first time.

Mr TAMBLING: I move that the bill be now read a second time.

The boundaries of the City of Darwin are carefully drawn to exclude the defence areas of Larrakeyah and the RAAF Base. The immediate effect of this exclusion continues to be that residents of those areas are able to participate in elections for this House but not in elections for the City Corporation. Representations have been made over several years by service personnel claiming the right to participate in the municipal affairs of the city. These representations point to the anomalous situation which exists when those personnel who live off the bases can vote and stand for civic office in local elections while their counterparts on bases cannot.

Service personnel are subject to all of the bylaws of a municipality when going about their domestic affairs off the base, but have no say directly or through representatives in their content. Service personnel utilise the roads, the sporting areas and the amenities of a city and yet, if they happen to reside on a defence base, have no say in their standard or priority. The Administrator in Council already has the power under section 8 of the Local Government Ordinance to annex these areas to the city and to structure them into wards. As defence authorities are responsible for their own municipal services on the bases, such a step would not financially disadvantage

a corporation.

It seems that the reason for exclusion arises out of legal doubts surrounding the rateability of land. Section 175B(3) of the Local Government Ordinance specifies those categories of land which are exempt from municipal rating. Clause 3 of this short bill adds defence land to these categories and its passage will thus pave the way for a subsequent extenstion of the city boundaries. I intend to initiate such a step prior to the municipal elections scheduled for May next year. I firmly believe that service personnel should have the same franchise as any other person in the city. I commend the bill.

Debate adjourned.

PUBLIC SERVICE BILL

(Serial 207)

Bill presented and read a first time.

Dr LETTS: I move that the bill be now read a second time.

This bill amends the Public Service Ordinance to provide a more efficient public service and rectify an omission in the principal ordinance as passed last year. Section 13 of the principal ordinance which deals with delegations by the Public Service Commissioner, permits the Commissioner to delegate to a Chief Executive Officer or to a member of a prescribed authority any of his powers under the ordinance or regulations as they affect the department or the prescribed authority concerned. A commissioner has no authority to delegate to any employee any of his powers as they relate to the service as a whole nor, in particular, any authority to delegate to any of the employees under his own control. This bill seeks to rectify that situation and, in doing so, would enable the office of the Public Service Commissioner to fully function during any absences of a short duration of the Commissioner or an official on duty and leave.

Sections 29 and 36 of the principal ordinance deal with promotions and appeals against promotions including temporary promotions. Temporary promotions occur frequently in the service and could be and are for periods as short as one day and could be as long as several months, due to absences on recreation leave, sick leave and resignations. At the present time, all temporary promotions are subject to appeal irrespective of the period involved. This is an unworkable situation because, with a temporary pormotion for a short period, it is not possible to constitute the Appeal Board and determine the appeal before the period of the temporary promotion has been concluded. This bill seeks to remedy this situation by allowing the Commissioner to determine what temporary promotions should appear in the Gazette or other publications and therefore be subject to appeal. I commend the bill

Debate adjourned.

ARCHITECTS BILL

(Serial 197)

Continued from 4 May 1977.

Mrs LAWRIE: I have been asked to indicate support for this bill. I have discussed it with representatives of the Institute of Architects in Darwin and they have expressed no reservations but there is one small point that must be borne in mind, This bill will enable the registration of people as architects who are not necessarily members of the institute and that in itself may be a fine thing, but it does make it a lot more difficult for the institute to police its code of ethics because it will have no control at all over these independently registered architects. In discussions I have had with the institute on this point, they have said that they expect the Architects Registration Board to bring down regulations which will adequately cover this point. I rise only to indicate to the sponsor of the bill that I would like him to follow this closely so that architects who are not members of the institute must have due regard to the code of ethics expected of that profession. There have been complaints in Darwin, and in fact I raised them myself in the Assembly, of architects behaving unprofessionally and unethically. The institute takes the most

serious view of breaches of ethics and I hope that the regulations drafted by the board for the protection of the public will be available when this legislation comes into force.

Mr TAMBLING: I am pleased to note the support of the honourable member and I will certainly take note of the points that she has raised with regard to the requirements of other regulations, I will certainly seek to have as much information as possible constantly brought before this Assembly.

Motion agreed to; bill read a second time.

Bill passed remaining stages without debate.

CROWN LANDS BILL

(Serial 174)

Continued from 7 June 1977.

Mr KENTISH: I rise to support this bill though not in its entirety. Most of us accept that these bills have been circulated subject to debate and that some amendment will be required. However, I support the principle of the bill. The bill itself is somewhat different to some of the other bills that we have considered on the subject of land rights and it is based on recommendations made by Justice Woodward. Whatever effort that Mr Justice Woodward and his helpers may have put into the inquiry in other directions, I feel that, regarding the relationship between Aboriginals and owners of pastoral leases, their knowledge of the whole situation was somewhat scanty and this is reflected to a degree in some of the recommendations. The practical application is really far from satisfactory. In this respect, I am inclined to think that there may be parts of the bill which would be unacceptable to both Aboriginal people and pastoralists.

I feel that the clause defining the persons who may take advantage of those provisions for entering into pastoral leases is wide enough and follows fairly much the present practical usage. However, in clause 4(2), the last two lines could be redrafted to make the whole situation more acceptable. It reads: "In accordance with Aboriginal tradition are entitled to inhabit or visit the leased land". At present, in many areas, people who normally live on the pastoral lease are the ones who are covered in these provisions. However, it has to be remembered that some of these places would carry special ceremonial and corroboree grounds and there would be certain times of the year when Aboriginals from other places would visit to carry out the ceremonies. This may be covered by the words "Aboriginal tradition" but I would think that adding the word "ceremonial" and the words "to visit" may make the matter clearer and more precise.

I feel that clause 4(3) needs amendment. The idea is all right in that it is designed to prevent camping at a bore. However, it would often bring great hardship to Aboriginal people if they were not able to enter within 1 kilometre of the bore to obtain water. The same may apply to a homestead watering point which is quite often also a bore. They would be legally prevented from obtaining water. This could cause hardship; it is 117 in the shade in some of these places and a very strong man can only walk 7 or 8 miles before he dies in those temperatures without water. I think that there needs to be some provision to enable travelling Aboriginal people to obtain water. The provision would have to stipulate that they would camp only with the written permission of a station-owner or manager. I say written permission because a written permission protects the Aboriginal person concerned because he may get oral permission from one person and the boot from another. If they have written permission to camp temporarily at a bore or homestead, they are covered satisfactorily and legally. I expect that other suggestions will come up on this but I support the need for the legislation. However, I feel that this situation has been fairly adequately covered by existing Northern Territory laws.

Debate adjourned.

DRUGS BILLS

POISONS BILL

(Serial 178)

DANGEROUS DRUGS BILL

(Serial 188)

PROHIBITED DRUGS BILL

(Serial 189)

Continued from 7 June 1977.

Dr LETTS: The Majority Party has had lengthy and lively discussions about these bills for a period of some months before their introduction in their present form. It is true to say that we have had some difficulty in our approach to this legislation and it would be foolish to pretend otherwise. On some of the issues with which this legislation deals, there is a fairly broad spectrum of views among members of our party within this Assembly. It would be strange if that were not so because that divergence of views is present in the community of which we are a part and from which we derive our support and which we must make an effort to represent.

In the event, we decided to approach this legislation on a party basis rather than form a completely individual and personal viewpoint. The reason for this decision lies in the main thrust of the bills which deals with the identification of a list of drugs which are quite clearly harmful to mankind and which are causing increasing problems in society, including increasing costs to the community. Associated with these drugs are criminal elements who for the sake of personal profit are prepared to destroy the lives of others just as surely as if they gunned them down and took their money. We believe that, in respect of that part of the legislation which deals with that side of the story, the issues are clear cut.

There is sufficient evidence available to warrant action to control, to prevent and to protect. Action which is directed first and foremost against a serious and growing form of crime must be strong and direct and there is no doubt in my mind that this view attracts wide community support. The tougher approach to the hard habituating drugs is common now in legislatures throughout Australia. The general policy has been reached in common by the states and the Federal Government. Some legislative changes are necessary here to comply with the United Nations Convention on Psychotropic Substances. We, as a Majority Party and myself in particular as Majority Leader, have been subjected to some pressure even in recent days from authorities in other places, from ministers in the Federal Parliament, to get on with the job of bringing ourselves into line with the rest of the country. To fail to do so would not only delay the ratification of the United Nations Convention but also could lead to the consequence of the Northern Territory becoming known as a haven where people in the drug abuse business can get away with these things with less risk than in other places.

However, the matter is not entirely straightforward as we heard yesterday. The chief difficulty, undoubtedly, lies in the legislative and regulatory treatment of cannabis and its derivatives. One thing is clear: with cannabis, we are dealing with a substance which is quite different from morphine derivatives, lysergic acid compounds and thalidomide. With cannabis, we are dealing with intangibles. We enter an arena in which eminent medical authorities, psychiatrists and people skilled in social work can disagree diametrically on the danger and even the possible virtues of the drug. That it has effects cannot be denied. The range of effects is reasonably well known and understood as indicated in the New Zealand reference quoted by the honourable member for Jingili yesterday. Whilst there is continuing research and argument into aspects of the physiological and pathological effects of over-use of cannabis, I believe it is reasonable to conclude on the evidence at present available that it is in quite a different category as a drug to other habituating hallucinogens. Its widespread use in present day society gives us some sort of a

general commonsense basis for evaluation. I read recently where, on a conservative estimate, over 30 million citizens in the United States of America are occasional or periodic users of the drug. With that kind of experimental group to go on, there is no doubt that there is considerable opportunity to observe side effects in the short and long term in such places as hospitals, detention centres and morgues. It would be an exaggeration to say that, on such evidence as is available from such widespread usage, we are in a critical condition warranting the introduction of draconian powers for cannabis control.

Let me focus on a more personal note. There are obvious difficulties in the way of any elected member of any parliament putting all his or her cards on the table in a debate such as this. It would be a brave politician who confessed in the House his own experience with marijuana in the face of the present attitudes of the law and the enforcement agencies. Similarly, to disclose any observations he may have made of the pot smoking habits of his friends or family, would expose them to potential dangers or interference in their private lives. However, I must say that it is patently clear to me personally that this substance is in widespread use in the Australian and Territory community and amongst people I know well. In the observations I have been able to make, I have seen no evidence of grave dangers to the individuals concerned - and these have included some close friends and employees in the past - or of any dangers to society from their controlled indulgence. Like others, I therefore find myself in considerable difficulty when trying to find the proper way to deal with this drug legislation and trying to set aside personal convictions and prejudices to look at the situation objectively. Frankly, I do not see myself refusing to accept invitations to social functions, denying my hospitality to good friends or banishing members of my family from their natural and rightful circle simply because I suspect or know that they are occasional pot users. Am I then in danger of being caught up in the web of the law? These are facts of life which we must all consider and weigh carefully as I am sure other members are in the same boat. Perhaps, at some time in the future, we would be better advised to try to find a separate place in the legal code for this particular substance. However, within the framework of the present bill, I am attracted to the views of the Law Society regarding some alteration of the police powers and some further consideration of the clauses regarding possession.

Some members of the public seem to have been under the impression that this bill was to be rushed through this House in a hurried, arbitrary and thoughtless way. The debate so far has been analytically constructive. I am sure that the sponsor of the bill and other members of the Majority Party are listening to the different points of view with interest and with open minds. The sponsor has indicated that there is scope for amendment if necessary in the light of the debate and representations received. I am prepared to support the bill at the second-reading stage and I believe that the proper course of action is to then adjourn the committee stages until full consideration has been given to all the views brought forward so that any necessary amendments can be prepared.

Mr MANUELL: I am generally in support of the sentiments expressed in these 3 bills. I personally am not satisfied as to the real classification of the drug cannabis. I have spent some considerable time discussing it with my colleagues, endeavouring to enlighten myself by reading many publications expressing both pros and cons and discussing it with people who are far better able to make a judgment on the matter than I. However, I have read many reports that have stressed the dangerous nature of the drug cannabis and I have also read some reports claiming the lack of danger of the drug.

I think, at this point, I should indicate quite clearly that I have no hesitation in supporting the propositions contained within the bills relating to the hard drugs. However,

like other speakers, I do find it rather difficult to draw any succinct conclusion as to the expressed nature and the way in which we should deal with the question of cannabis. Quite clearly the proposals contained within these bills clearly distinguish between those people who are to be regarded as pushers, making profit out of other people's consumption, and those who indulge in the simple use of the drug.

I did read here recently a report from a doctor conducting research on the subject of the use of cannabis in the United States and this particular doctor stated that he had identified harmful effects from the use of the drug by way of accumulation of deposits of bi-products of the drug in the brain and resulting in eventual irreparable damage. However, it is only one report of its kind that I have read and I think it probably improper for me or any other member of this Assembly to generalise on one report.

The argument that has been put forward by some that the use of other drugs such as alcohol and nicotine are accepted and so therefore cannabis should be accepted does not hold water. Clearly the community is constantly reshaping its thinking about the use of both nicotine and alcohol and I do not think there is any need for me to draw a wide reference. However, it is probably relevant to mention that public transport of various forms - road, rail and aircraft - are now adopting a policy of having no smoking areas for those people who do not want to subject themselves to the nicotine smoke that is exhaled by those who smoke. We are all well aware of the 0.08 drink/driving legislation. I wonder if supporters of the use of marijuana would be prepared to adopt a policy like uranium miners - that of not using the drug while a committee inquires into its use and its harmfulness and not continuing smoking until such time as the inquiry found out its relative values or the wisdom of its use. The uranium miners were prepared to stop mining until such time as Mr Justice Fox brought down his findings in his second report and, under those circumstances, I believe perhaps a similar move here may well be reasonable. I doubt very much whether that would be accepted by the community as a whole.

I personally have some misgivings about provisions within the bills requiring a landowner to prove himself innocent when a drug is grown on his property without his knowledge. I do not really see that as being a clear reflection of our true spirit in moving this legislation.

I also have mixed feelings and reservations about the need for police officers to conduct searches without a warrant. I do not believe that is in our interests as legislators or in the interests of the community. I also do not agree with the possibility of female members of our community being searched with or without warrant by members of the police force, particularly males. I feel very strongly that people pushing drugs as defined by these bills should be punished very severely and we should leave no doubt in the community that we do not accept the practice of pushing drugs that may be harmful to others. I do believe there are sectors of our society that do need legislation to enable them to be protected from themselves and I believe these bills offer this possibility.

I do not know whether it is simply coincidence but it appears to me that there is a considerably greater use of drugs amongst communities in the more tropical areas. I do not know whether it is simply because the type of people who want to use the drug marijuana or cannabis are those who enjoy the warmer climate. I am also led to believe, from talking to people from the south, that the use of softer drugs is declining on the academic campuses.

Miss ANDREW: I suppose one could say that much of what could be said has already been said. Much has been said in the debate of the danger or otherwise of pot. I have read a gross of medical reports from so-called medical authorities and I still remain confused. However, I do support the views so competently expressed by the Majority Leader and, having said that, I will turn to the bill.

I am most disturbed with section 15 which relates to the search of females. I do not approve of females, under any circumstances, being searched by males unless the male is a medical officer. I would ask the honourable member to consider an amendment that, under this ordinance, the search of a female shall be carried out by another female and a search of a male shall be carried out by another male. There are no policewomen in Tennant Creek, Katherine or Nhulunbuy or in other areas of the Territory outside Alice and Darwin. An alternative to my suggestion would perhaps be the right to ask for a medical examination.

Clause 4(2) is concerned with the onus of proof being placed on the occupier of a property to prove that he did not know that there was cannabis or whatever on his land. I am most concerned about this particualar section. Garden fences are in this day and age small or non-existent and, whilst I have a belief in the basic goodness of mankind, it would be very easy for any member of the community to be set up. Generally, there are exceptions to the general rule that the onus of proof is always on the crown, for example, sometimes in technical matters such as breathalyser tests and fishing prosecutions. However, I would draw the attention again of the honourable member to the remarks of the Law Society in this context.

Regarding clause 11, for the sake of the protection of the police as well as the protection of the private individual, I would support the amendment suggested by other speakers to delete the part allowing search without warrant.

Mr Pollock: Haven't you got any faith in the police force?

Miss ANDREW: I have faith in the police force ...

Mr Pollock: Well, show it.

Miss ANDREW: ...and, for their protection, I advocate the amendment. Justices of the Peace are readily available throughout most sectors of the community. In considering the Police Administration Bill, we looked very closely at the subject of warrants and members of the Police Association and the police administration, for the honourable member for MacDonell's information, do support the concept of warrants in this situation for the protection of their own members. I feel that police powers should generally be re-examined and I feel that, in clause 11, should the member not decide to take up the amendment, he should look at the inclusion of the word "emergency" rather than "exigencies".

Generally, I support the comments of the honourable member for Jingili, however, I would like to include one additional amendment. I would like to provide for a certificate of scientific tests to be tendered when the evidence of the tests is not in dispute. This would negate the requirement for the scientific experts having to attend court to give evidence where the charge is disputed. A schedule would be required outlining the form to be used as the certificate of scientific tests and definitions of "analysts" and "botanists" would have to be introduced in conjunction with my recommendation.

I support the second reading of this bill and I look forward to further comments from members and I trust that the community will continue to make representations. I hope that the amendments that I have advocated and those from the Law Society will be considered.

Mr KENTISH: I support this bill realising that, in the committee stages, there will be amendments made to it. The basic root of the drug problem in this country is the big money that is involved. We are continually reading in our newspapers of the value of heroin and other drugs that can be contained in a handbag, a purse or a pocket; this may run into many thousands of dollars. It begins with the desire to make big, tax-free money quickly.

A secondary cause of course is the victims and there would be no money in it without the people who are addicted to it. For that reason, every effort is made to increase the crop of people who

are addicted. A good place to begin with increasing the crop is amongst young people, even older school children. It may not be possible to increase this crop of addicts by getting them straight on to what are known as hard drugs; they have to be brought along gradually. Thus, we have the place in the system for what are called the soft drugs. Some may argue that there is no connection between soft drugs and hard drugs, that one is not a stepping stone to the other. We see an enormous lot of literature about this subject. I have read both sides of the question considerably and, being a cautious person, I am inclined to pay heed to the side which is giving us warning signs about these things.

Those 2 things go hand in hand: the desire to make money and the proliferation of the victims of addiction, As some of the speakers have said, it has age-old usage. I remember reading books about South America where porters were climbing the Andes. They chewed the leaves of quinine, not to ward off malaria, but to give them a boost on hard journeys of mountain climbing. Porters with loads on their heads chewed the leaves to give them added strength on their journeys. The Middle East and India have been scenes of drug usage for many centuries, perhaps thousands of years, but under vastly different conditions than what we have today. They had no motor cars to contend with in those days. Some 25 years ago, I read an estimate which stated that life expectancy in India was 26 years. A person lived to 26 years of age; life was short and sweet and there was not much excitement in it. The conditions under which the people in these countries took to drugs and accepted drugs are vastly different to present day conditions.

I would say that the use of drugs is partly a matter of adventurousness in the young people and, more particularly, a product of idleness amongst younger people, perhaps amongst older people too. I remember occasionally that I have been asked whether I smoke? Sometimes, I would tell people that I smoked when I went to school. They said, "Why did you give it up when you left school?" I replied that I became too busy to smoke. I remember I carried a packet of cigarettes in my pocket for a week until it was worn out and I threw it away. I just mentioned that little thing to indicate that the dealing with drugs, marijuana and other drugs, can primarily be a product of idleness and boredom. However, it very quickly becomes a product of addiction. I have read statements that this addiction does not apply very strongly to what is known as the soft drug of cannabis. It applies more particularly to the hard drugs and I am inclined to accept that because I have read the same thing in the literature that has been written about this. People can give up cannabis fairly quickly and easily but the point is the damage that may have been done to them mentally. I do not know that this has been clinically proven but it is something that we should not take a risk about. The damage that has been done stays there. We are told that much the same happens with nicotine and that the damage that has been done can disappear over a long period of time.

We are told that there is a great difference between soft and hard drugs and that may be true. I have been told that there is a great difference between beer and spirits. They all have alcohol but I am told that there is a great difference between them. In our liquor laws, we do not differentiate between soft alcohol and hard alcohol; it is all alcohol so far as liquor laws are concerned. Our main evidence comes from people who write about drugs because we do not live overseas to see the human wreckage in Egypt. I have seen some of the human wreckage in the Middle East countries and I do not know that it is entirely caused by marijuana or other drugs. Yesterday, we had a lot of human wreckage in our gallery and, if this is the product of drugs, we do not want it. We are better off as a community without it. When we look at the product of the drugs, we know that our community will go down hill if we do not take strong action against this.

I have also read that there is a political content in the drug situation, that it is a political scheme to undermine our democratic society and our democratic way of life. Whether

that is so or not, I do not know. However, I do know that, if what we saw here before our eyes yesterday and what we see in other places continues and proliferates, our society is doomed. I think another speaker voiced the same opinions yesterday. That is our democratic society. If we had a different society or different political system in this country, we might find that the same action would be taken against drug pushers as is taken in Singapore or other places further north. They get the bullet; there is no argument about what the penalties will be.

We are told that there are soft drugs and we need not be worried about them very much, and there are hard drugs. How many times have I heard young people say to me, "It is all right, he is only drinking beer". That is this week and this year, but what will he be drinking next year or the year after? I have seen too many young people become confirmed alcoholics before they are 20 years of age. I have employed some of them. It is hard work employing them but, for reasons best known to myself, I have perservered with 1 or 2 of these confirmed alcoholics around 20 years of age. Before the cyclone there were about 1,000 alcoholics in Darwin and I would take a bet with anyone that 950 of those 1,000 alcoholics started off with one drink of beer. If there is drug addiction in town, it is quite likely that 95% of them started off with soft drugs, the harmless ones, ones that just give you a little kick.

Mr Perron: They probably started off with milk before that.

Mr KENTISH: They may have even been on milk which is a deadly substance as we know. There is a beginning and, for this reason, I think that we should not look kindly upon soft drugs. They are the starting point for our school children, the high school kids and others; that is where they start, but they do not finish there. All the evidence that we have points to the fact that that is not the finishing point but rather the starting point.

Every year we read the figures of motor car carnage for Australia and the Northern Territory - around about 5,000 people for the whole of Australia are killed and many thousands more are shockingly mutilated and injured. In the Territory, about 50 to 60 people are killed each year on the roads and many more are injured and mutilated. We can read the statistics, and the statistics are very careful and particular about this subject. They are very sure of themselves before they make the statement that a big percentage of these are due to alcohol mixed with driving. We are told that, amongst other things, 2 of the main effects of drugs, and particularly this harmless drug of cannabis, is that the person under the influence has a distorted perception of time and distance. Alcohol can do that too and it can have other effects as well. What could be more fatal on our roads than a distorted perception of time and distance. We would be fools indeed if, as a legislature or as a society, we decided that we would multiply and proliferate the carnage on our roads by adding drugs to alcohol although we are told that people who are on drugs stop drinking alcohol. However, we would be fools indeed if we found a killer substitute to replace alcohol or did anything to proliferate the effects of it on our roads. Surely it must be a killer if it distorts the perception of time and distance, 2 things very vital to modern driving and fast cars, where you have split-second timing at the road junctions. If there was no other argument, just the sight of the human wreckage which is around this town and creeps into this Assembly room would be enough for me to support this bill wholeheartedly; I would want no other evidence.

Regarding the search without warrant, I imagine one day I will run into someone in town who will point people to me and say, "See that man over there who is smiling and happy; he had his house searched with a warrant and he is very happy. See that sad looking joker over there; he was searched without one and that is why he is unhappy". What the hell does it matter anyway? If you are going to be searched, what the hell does it matter whether you are searched with a warrant or without a warrant. Let that point remain as it is. If you see an unhappy person, you will know that he has been searched without a

warrant.

We hear about equality of sexes and evenhandedness in the treatment of the sexes. We are assured that no female must be searched by a male policeman but only by a policewoman or a medical officer. I put it to you that males must not be searched by a policewoman. That is evenhandedness. We must get things straight in this respect.

I will read a little thing. You could read oodles of this sort of stuff but I will read this small part. It is entitled: "Social Consequences of Marijuana Epidemic":

The scientific evidence presented to the subcommittee points to an array of frightening social consequences or possible consequences. If the cannabis epidemic continues to spread at the rate of the post Berkeley periods, we may find ourselves saddled with a large population of semi-zombies.

I am running into them all the time in my business. They are coming up from the south and you can pick them very easily. They have glazed eyes and squeaky voices. They are coming through from the south into caravan parks and places in Darwin fairly constantly. You do not have trouble in identifying them. Like a water diviner, I can tell you there is water there but I cannot tell you how deep it is. What I cannot tell you is what drug they are on, whether they are on marijuana or heroin or cocaine. However, it is very evident that they are on drugs. There are semi-zombies, young people acutely afflicted by the amotivational syndrome. They have lost motivation. Many people in the Territory have lost motivation without drugs, so apparently that is not a very strong argument. The article goes on:

There is evidence that many of our young people, including high school and junior high school students, are already afflicted by the "amotivational syndrome". The general lack of motivation of the current generation of high school students is a common complaint of teachers. Some of them point out that the growth of the pheuomation in recent years has roughly paralleled the spread of the cannabis epidemic. We may also find oursleves saddled with a partial generation of young people - people in their teens and early twenties - suffering from irreversible brain damage. Their ability to function may improve if they abandon cannabis but they will remain partial cripples, unable to fully recover the abilities of their pre-cannabis years.

Regarding this human wreckage, you may not believe that the drugs can cause this and you may not believe that the person with a green stick in his hands can find water. If you do not believe, just have a look and see what their eyes tell you.

Debate adjourned.

SPECIAL ADJOURNMENT

Dr LETTS: I move that the Assembly at its rising adjourn until 1400 hours on Tuesday 14 June 1977.

By way of explanation, Mr Speaker, this means that we will not be sitting as we normally would be tomorrow. The reasons for that are largely associated with the inaugural meeting of the Council on Intergovernmental Relations which was deferred a month ago and is now coming up on Friday in Hobart. As a delegate for the Assembly, I will be attending that. Several of our Central Australian members who are going home for the weekend have difficulty with plane schedules on Monday which means that they may not arrive back here until Tuesday morning. Because of that, it is proposed to recommence the sittings on Tuesday afternoon at 2 o'clock. I might mention that Tuesday will be a general business day.

Motion agreed to.

MOTOR VEHICLES BILL

(Serial 198)

Continued from 7 June 1977.

Mr WITHNALL: This bill deals with 2 principles, one relating to the exemption of handicapped persons from com-

pliance with a number of provisions when they are applying for a licence. With that, I have no complaint at all. However, I do have a complaint against clause 4 of the bill which deals with the registration of trailers and requires any trailer with an unladen mass exceeding 500 kilograms or a laden mass exceeding 1 tonne to be equipped with an independent braking system which is operable from the driver's seat. By and large, I agree that heavy trailers ought to be equipped with their own independent braking system but I do not agree with the description of vehicles which are proposed to be subject to that condition. With the part about the unladen mass of a trailer exceeding 500 kilograms, I have no quarrel. It seems to me that a trailer which has that unladen mass would be a very large trailer, would be capable of carrying very large loads and would need braking systems other than that which would be provided by the towing vehicle. However, I do have the very greatest objection both to the wording and the intent of paragraph (b) of the proposed new subsection (4).

Clause 4 proposes to amend the Fourth Schedule which provides a number of conditions which must be observed upon the registration of a vehicle. Paragraph 4(b) is to be inserted in lieu of the old paragraph (4) to provide that the independent braking system must relate to a trailer which has a laden mass exceeding one tonne. There is no definition of "laden mass" and, when you go to register a trailer, it will not be laden. The registrar presumably is entitled to exercise his imagination and estimate the laden mass which the vehicle is capable of carrying. He could load it with lead and decide that every trailer would be capable of carrying a mass exceeding one tonne.

Take the ordinary little trailer which is generally 6ft by 4ft and 15 inches deep. If you load that with sand, it would very nearly weigh a tonne and many people use trailers to carry sand and soil. The specific gravity of sand is something like 2 and, as a result, you get a laden mass of about 1900 to 2000 pounds, which is very close to the tonne. If anybody has to exercise his discretion, he is merely going to say, "I think this exceeds a tonne, therefore I want the independent braking system". It is all very well to suggest to me that one must trust that the registrar will not be so dictatorial because I have had some experience of registrars of motor vehicles in my time, Members of this House and members of the former Legislative Council have had many occasions when they have heard protests about the autocratic manner in which the inspectors of motor vehicles carry out their tasks. If this power is given to them, I suggest that there will be practically no trailer anywhere in the Territory that will not be required to have an independent braking system.

There has been an amendment circulated which proposes that the independent braking system is to be fitted if the maximum laden mass which a trailer is capable of carrying exceeds 1 tonne. Again, that is an opinion which the Registrar of Motor Vehicles and his authorised officers will make. Again, I suggest to honourable members that the provision is so vague that anybody can have his own idea as to what a vehicle is capable of carrying. He can work it on the basis of what weight it will carry before the springs break; he can work it on a basis of axle-loading; he can work it on a basis of wheel-loading; and he may or may not take into account the weight borne by the towing vehicle. The result will be that this will become a most repressive provision and everybody who has a trailer in the Northern Territory will be required to fit independent braking systems to it even though, in most circumstances, it will not be carrying anything more than 300 to 400 pounds.

I am pleading for some greater definition, for some more accurate statement, than that contained either in the bill or in the proposed amendment, both of which leave it entirely up to the judgment of the Registrar of Motor Vehicles, In the long run, of course, this is the opinion of the persons in his office who are concerned with the passing of motor vehicles when they are presented for registration. There are a number of independent motor vehicles inspectors around town and, since it is

to be a matter of the opinion of the Registrar of Motor Vehicles and since he has appointed authorised inspectors who are in effect his delegates, there may be quite a number of different opinions floating around as to what a particular vehicle is capable of doing. Shall we shop around from authorised inspector to authorised inspector and the Motor Vehicle Registry until we find somebody who thinks that the vehicle is not capable of carrying more than one tonne? I honestly suggest to the sponsor of the bill that a closer look at the wording of the provision and a closer understanding of what he is talking about in paragraph 4(b) is really necessary.

Mr RYAN: What initially appeared to be a simple amendment to overcome a problem does appear to have caused further problems. The honourable member for Port Darwin is correct in his assessment of the bill and the proposed amendment, I can see the point that he is trying to make. One of the problems is the situation where somebody has a trailer, which is used in a specialised situation, that possibly could exceed 500 kilograms but does not exceed a 1,000 kilograms unloaded. It was the purpose of our amendment to try to overcome that particular problem. We have the problem that trailers do not have to have painted on them, as do commercial vehicles, their gross and tare weight which is an indication to the registrar or the inspector as to what might be the carrying capabilities of the trailer. I would like to point out to the honourable member for Port Darwin that, whilst he may drive a vehicle that does have a certain carrying capacity, there is nothing to stop him from overloading it. How this can be enforced by law, I do not know. The purpose of the bill and the amendment is to try to give a closer control over registering trailers.

However, in view of the points that the honourable member for Port Darwin has raised and the honourable member for Gillen mentioned some problems which I thought we may have overcome with the amendment, I would suggest that the committee stage be adjourned until such time as we have worked out a satisfactory amendment to the bill.

Motion agreed to; bill read a second time.

Committee stage to be taken later.

ADJOURNMENT DEBATE

De LETTS: I move that the Assembly do now adjourn.

Miss ANDREW: I would like to speak on a subject that has been widely reported in national papers, local papers and on national radio and television. The discussion has arisen from a judgment handed down recently in a case concerning an Aboriginal boy at Papunya. The judge was rightly appalled at the circumstances under which this 14 year old boy spent some weeks, in fact 26 days, in an adult prison. He went on to generally express his dissatisfaction, perhaps "disgust" would not be too strong a word, about the inadequacy of facilities and provisions generally for the care of juveniles who have got into trouble or opposed the laws which society dictates for good behaviour.

It appears that the imprisonment of this young juvenile resulted from the combination of a number of factors. Firstly, there was the assumption by legal aid representatives that the surety who was present would remain present. It is accepted by people who know the Aboriginals in this particular community that they like waiting around even less than we do. The surety went because of the inadequacy of the system under which the courts in these settlements are operating. There are not enough people to go around, yet, if we want to bring justice into the settlements and hold courts in the settlements, what can we do? There was an expectation that the surety could be found before it was necessary to send the boy to Alice Springs. In fact, the police spent many hours during the night searching for the surety but he simply could not be found.

Because the papers were completed in Papunya and did not need to go into Alice Springs, the matter was therefore not brought to the attention of the Clerk of Courts in Alice Springs and she was ignorant of the situation. True, there was the failure of the

police in Alice Springs to realise what had happened and inform the Aboriginal Legal Aid Office but it certainly had no legal responsibility to do so. There was also the failure of the Aboriginal Legal Aid Office to check on the 14th, the day after the hearing in Papunya, to ensure that the recognizance had been duly entered into and the boy had been released.

It has also been suggested that the boy himself may have been willing to go to jail in order to avoid the tribal initiation. His attitude may have been such that it did not draw attention to his situation. It is regrettable that this situation occurred but, in my view, the prime responsibility lies with Aboriginal Legal Aid representation to ensure that her client received full legal rights. If the representative chose to leave the settlement before being satisfied that the papers had been signed and surety had been given, she should have followed up the matter with inquiries the next day. It is my understanding that no inquiries were made.

In relation of the larger criticism of the lack of facilities in Alice Springs, it is also regretted that the situation for dealing with delinquent children is inadequate. However, the attention of the public should be drawn to the fact that the Aboriginal Legal Aid service has available certain field-work facilities and has responsibilities for providing to a court adequate information and assistance concerning the appropriate sentencing of an Aboriginal teenager. In addition, it must be pointed out that there is an enormous problem at Papunya resulting from changing attitudes amongst young people. I visited Papunya only a week after this particular court sat and the problems involved were somewhat horrific. These problems are unlikely to be solved by the building of buildings to incarcerate teenagers nor by the provision of more social workers which incidently would be in the hands of the Department of Aboriginal Affairs. This would be unlikely to greatly affect the total social problems at Papunya. These areas of concern are outside my executive responsibility and I do not want to comment upon them except to say that, notwithstanding the large breaches of the law being committed by children and teenagers from Papunya and other settlements, the main problem is not a legal one but a social one.

On a number of occasions, I have made representation to officers of the Department of Northern Territory, to the Minister for the Northern Territory and even to Senator Webster when he was representing the Minister for the Northern Territory whilst Mr Adermann was overseas but still nothing is being done to solve the social problems at Papunya or to provide services, people, legislation and detention centres, to help the young people that are coming before the courts, What can the magistrates do? There has to be a certain element of protection for the community and constantly magistrates are driven to send to jail people who should not be there. It is time that the Government took a long look at this particular judgment and it is about time they acted on it.

Mr MacFARLANE: I have a few matters I wish to raise today. The first one is the need for extra accommodation at the Old Timers Home in Katherine. As you probably know, the Government is providing $500,000 to $600,000 for old timers in Alice Springs and also in Darwin, but the problem in Katherine is merely the provision of surplus demountable buildings which are available in Darwin. Early in January, the Minister and his secretary were in Katherine for the opening of one wing of the Katherine Hospital and I was virtually promised that these buildings would become available. There was a committee set up by the service clubs of the town, Red Cross and other interested people, and they guaranteed to put these demountable buildings up for nothing. They were going to be transported from Darwin free of charge because that was a slack period for Buntine Roadways. However, nearly 6 months later, no decision has been made. The problem lies with Treasury; I think it is a very good reason for statehood.

The second matter relates to a detoxification centre for the town. With the closing of the North Australia

Railways, there are many surplus unoccupied buildings. The building for the relief train crew is most suitable and it is even located in the right place - right opposite a hotel. Nevertheless, these buildings remain idle and vacant despite the fact that we are in desperate need of a drunks' refuge. We also need a counsellor/co-ordinator to talk with the families of alcoholics and the alcholics themselves.

Another matter I wish to raise is the shortage of land in Katherine. I think that 117 blocks were serviced and are available or were available. About 20 of these were offered at auction. This means that there are about 80 or 90 blocks still about the place. We heard yesterday that there is a probable over-supply of government houses in Darwin. There is always a predictable shortage of houses, government and otherwise, in Katherine. You cannot even get the land to build them on, This is another good reason for statehood; at least, we would have someone to whom we could attach the blame.

One of the reasons why there will be a shortage of government homes in Katherine is due to the day labour personnel being granted equality with other government officials. I think that a foreman plumber is probably as essential as a school teacher because, if you need him, you need him badly. You must have these people. You must have school teachers too, but it is a matter of balancing out the actual needs. How many homes do you want? There seems to be no forward planning at all. When I first came into this place many long years ago, one of the things I complained about most was the lack of forward planning, and we still have it with us.

Another thing I used to complain about in those days was hostel accommodation, not only for outback children, but for convalescents at the Katherine Hospital who had to be hospitalised, not because they were so ill, but because there was nowhere else for them to live. We did not get a hostel for them and we did not get a hostel for outback kids. However, there is, at the present time, plenty of suitable accommodation available for a change for outback children wishing to go to primary and secondary schools in Katherine. You see the balance of the government; they have plenty of single accommodation but no government homes. I do not know how you equate this with the common sense that we are supposed to read into their appointments.

One of the most important requirements for outback people at the present time is some kind of hostel accommodation in Katherine and other centres too. In Katherine, suitable, single professional type accommodation is available. There is one building in the Commonwealth Hostel which could be made available and this could stabilise the workforce in the outback. As you know, the outback is having a pretty rough time and suitable people are being forced to go somewhere else because the Government will not give them quality in education. Their children are expected to function properly and be educated properly by the School of the Air. If the School of the Air is that efficient, I suppose we should do away with all the high schools here and have School of the Air piped into every home, It is a good form of education but it has its limitations. We see where the Minister for Education has refused to face the fact that it costs money to educate children anywhere. All outback parents are looking for is the chance to educate their children without involving themselves in unnecessary financial hardship, particularly at this time.

The last matter I wish to raise today is the fact that the ABC will be unable to cover the Beer Can Regatta, the Katherine Carnival, and the Tennant Creek Gold Rush because they have no camera men, Only a few months ago, the Majority Leader brought up the matter of the shortage of talks officers. There is only one rural journalist now. I think it is a very bad state of affairs when people go to a lot of trouble to promote these carnivals and functions for charity yet they are not helped by the Government. I do not know what can be done about this. It is false economy when the Government will not come to the party on things like this and help promote tourism. We all know how famous the Beer Can Regatta is

and I think we should be helping to promote these things instead of letting people shoulder the burden themselves as usual.

Mr STEELE: Speaking about the road systems in the Darwin area, we have been in the firing line in recent weeks over the proposed connecting system from Coconut Grove which comes down to Nemarluk Drive and then across to Playford Street in Fannie Bay. The traffic would then go down East Point Road. The position at the moment is that traffic on any normal day will back up Bagot Road at least to Bagot if the lights are not working correctly or at the right time intervals. People trying to cross Bagot Road and Trower Road have no chance of doing so without risking their lives. There have been people killed on both those roads on more than one occasion in the last year. This proposition is designed to relieve the traffic strains, particularly in Nightcliff and Rapid Creek.

The criticism from the opposite political party that there is to be a right turn from Bagot Road to Fitzer Drive is a proposterous proposition in that there are such things as signs that say no-right-turn between 7.30 and 8.30 and there are such things as stop signs which could be placed at Fitzer Drive leading onto the new interconnecting road. Anyone who has lived in the Northern Territory for any length of time, particularly in Darwin, will remember that Bagot Road itself started off as a dual-carriageway. In fact, because of the lack of forward planning and decision making - and the decision-making was not in local hands of course and still is not - Bagot Road became a dreadful situation especially in the wet season when the road started to fall to bits. Of course, the planners in their wisdom took notice of all the conservation people who rightfully thought they should protest about the Palmerston Freeway. The mosquitoes and the mangroves are something that obviously we should concern ourselves about but just how far do you go when you want to create the mad situation which exists at the moment?

I think the funding of this cheap, million dollar dual-carriageway will go a long way towards providing a temporary short term alleviation of what is now a serious problem. In addition, I can see certain other benefits from this road system. When the road is completed - and if all the things that have to be done are done this year, it will be - the extension from Douglas Street to the interconnecting road from Nemarluk Drive to Playford Street will create an area where there would be some land use opportunities. For example, unlike any other city in Australia, there is no place in town where you can keep horses unless you are out at Rapid Creek on an agricultural-type lease. If you go to Morphettville in South Australia, you will find that there are streets full of stables but there is nothing like that in Darwin.

I am concerned that the Nemarluk Drive residents will be disadvantaged in some way. I intend to go back to the Darwin Reconstruction Commission and the Department of Construction to see if they can move the road a bit to one side so that there is a buffer zone created and the residents in that area will not be disadvantaged in any way. The flow-on benefits to Wells Street go without saying. Those poor people have been harassed and treated like so much rubbish over the last few years, it is just not funny. They have borne the brunt of excessive traffic and it was only through community pressure they acutally managed to get Wells Street converted to a one-way system. Of course, since the cyclone, they have had no such opportunity to improve their position. They have had to live with this because of the excuse that the vehicles had to turn in there to go into the two and a half mile because of the increased construction activity.

I am probably about the only elected representative who has tried to get the Kulaluks their land in the last 6 months. I have correspondence dating back to December and, in addition, I have sent a telegram to Fred Fogarty in recent times to discuss this road proposal. I have had no reply at all. When it comes to land for Aboriginals in town areas, my understanding and my advice from the advisers to the Executive is that the Kulaluk people have to make their applications for land in

the conventional manner through the Department of Northern Territory to the Minister of the Northern Territory.

Finally, because of a lot of the town planning that has taken place and because the advice of local people has not been taken into account, there was a letter in last Wednesday's Star criticising me, and rightly so. That is their prerogative; they complained that the increased flow of traffic coming down East Point Road would mean there would be more deaths at the pedestrian crossing near the Darwin High School. If you would like to reflect back, you would probably find that the decision to put the Darwin High School there was taken by people who did not live in the area. If I had been involved in that decision, there would be no Darwin High School in that place.

Motion agreed to; the Assembly adjourned.

Tuesday 14 June 1977

Mr Speaker MacFarlane took the Chair at 2 pm.

LETTER FROM THE ADMINISTRATOR

Mr SPEAKER: I have received the following message from His Honour the Administrator.

Dear Mr Speaker,

I have today received a letter from the official secretary to the Governor-General, following the presentation to Her Majesty the Queen of the address in reply to my speech at the opening of the second session of the Legislative Assembly. The text of the letter reads: "I refer again to your letter of 5 May 1977 containing a message of loyalty from members of the Legislative Assembly in the Northern Territory. The message has been laid before the Queen. Her Majesty would be glad if you would convey an expression of her warm appreciation to the Speaker."

Yours sincerely, J.A. England, Administrator.

ENVIRONMENT BILL

(Serial 182)

Continued from 4 May 1977.

Dr LETTS: I rise to indicate that I still have some difficulties with the legislation introduced by the honourable member for Port Darwin. I have considerable sympathy for his attempts over quite some time now to recognise in law that modern society has a stronger conscience about the protection of the general and personal environment than at any time in recent history. Methods for environmental protection and control are coming before legislatures around the world. In some places, they have been in operation long enough for the practical difficulties which attend them to become evident. However, society is still relatively new to the business of finding legislation which will work in practice in this field and which will strike a happy balance between the needs for man to produce to live and yet to control the detrimental side effects of his exploitation of resources. Men are still proceeding, by trial and error to some extent, to enact and evaluate legislation which will ensure that freedom of action and activity by one person does not limit the enjoyment of life of his neighbours and the community.

In expressing some misgivings and doubts about this private member's bill, I am not in the business of being unnecessarily vexatious or of prevaricating. However, I have had to look at the bill through somewhat different eyes since 1 January this year. Before that date, the responsibility for providing resources in terms of the public service and for finance to meet the provisions of the bill would have rested entirely with the Commonwealth Government through the Department of the Northern Territory and any unforeseen side effects or disruptions to life or industry arising out of the legislation could have been laid at their door. With the transfer of functions, including environment, to this Assembly such matters will be the responsibility of the Executive of the Majority Party. We do not wish to shirk this responsibility but it is quite evident that, where a private member brings forward a piece of major legislation in a new field involving someone else's holding the baby, warts and all, it is part of the very essence of responsible self-government that we do not treat the matter lightly and that we who are accountable should be quite satisfied with the form and content of that legislation.

Work on the analysis of this bill is still proceeding and it has created widespread interest and reaction. This response has emphasised the complex nature of the matter with which we are dealing. During the course of recent weeks, submissions and comments have come forward. There were earlier papers from the Northern Territory Chamber of Mines, which was directed to the honourable member for Port Darwin, and there was a general telex message from a representative of Pancontinental Mining, a copy of which I referred to the honourable member and which he

touched on in his introduction to this legislation. Since then I have had a submission from the Department of Environment, Housing and Community Development on 6 June; on 25 May, I had quite a lengthy submission from the Attorney-General's Department; and I have had comments from the Water Resources Branch of the Department of the Northern Territory - they have come in recently and are undated but there are 5 pages of comments with a number of attachments. I have had some fairly comprehensive views from the Wildlife Section of my Chief Secretary's Department and, during the course of last week, I received an 8 page submission from them with some attachments, including some analyses of other submissions. I understand that there was a further submission from Pancontinental to the honourable member for Port Darwin. In addition, there are references in the Second Fox Commission Report to the machinery for environmental control in an important region of the Northern Territory. This report is not yet readily available to the public or even to members of this Assembly. I have not had time to fully evaluate the comments in that report as they might be applicable to legislation of the Northern Territory including this proposed ordinance.

Most of these comments have come to me as the Executive Member responsible in this field. Other members of the Assembly, particularly the Cabinet Members for Transport and Industry and Resources and Law have not yet seen the text of most of these comments. I believe that they should do so and that the honourable member for Port Darwin should have access to these papers. I am prepared to give them to him and to have discussions with him as I am the Executive Member with portfolio responsibilities in this matter.

As an illustration, I will outline some of the points made by the Chief Secretary's Department in its recent advice to me. I will not deal with all of this but some of it should go into record and be available to the honourable member for his consideration. The expert officers working in this field begin by mentioning that the bill does not deal with any important matters including environmental impact assessments, environmental controls on uranium mining and a number of other things. Dealing with Part II of the bill, Administration, the advice is that proposed sections 6 and 9 inclusive, which provide for the appointment of a director and environmental officers, do not specify the terms and conditions of appointment - presumably these would be public service appointments - and no professional qualifications or experience are required of the director even though he is the key figure in implementing the legislation.

Proposed sections 10 and 13 provide for the appointment and the functions of an Environmental Protection Board. The Environmental Division of the Department of Environment, Housing and Community Development has pointed out that the provisions relating to qualifications for membership of the board might be widened to include persons with environmental management and protection experience. Pancontinental in their submission do not see the proposed composition of the board as being in any way appropriate or capable of carrying out either the advisory or operating responsibilities of such a body. The view of the officers of the Chief Secretary's Department is that consideration should be given to making the board larger and more representative of professional expertise. The exclusion of public servants should be reconsidered as much of the available expertise in the Northern Territory is in this category. No administrative machinery is specified for calling board meetings, forums or voting procedures; a time limit on hearing environmental protection orders and more precise administrative guidelines should be laid down. In proposed section 95, more thought should be given to the balance between the confidentiality of company interest and the need for public accountability and freedom of information.

Part III, the statutory nuisance provisions, has received quite a bit of criticism. The Department of Environment, Housing and Community Development indicate that this part would be continually open to question on definition. The Chamber of Mines states

that the prevention of nuisance to the individual should not be at the cost of injustice and undue vitiation of the principles of privacy and Pancontinental consider it an ideal vehicle for frivolous and vexatious attacks on individuals and organisations. Proposed section 14(1), which essentially defines statutory nuisance, should refer to the beneficial use of land which is defined in Part I.

There is some overlap of the proposals with existing or proposed legislation in other areas. The provisions of proposed section 14(3)(a), (b), (c), (d) and (e) are already included in the Public Health Ordinance nuisance prevention regulations. Proposed section 14(3)(f) is better covered by the Fire Brigade Ordinance and the Bush Fires Control Ordinance. If these provisions are retained in the bill, there will be conflict in the enforcement. There should be provision for prior consultation with other involved administrative bodies before taking action. As these clauses only refer to public health and enjoyment and not to the broader issues of environmental conservation, consideration should be given to their exclusion from the bill. If the presently related ordinances are considered inadequate, suitable amendments should be introduced.

There is no specific legislation concerning water, soil, air and noise pollutions, such as the New South Wales Clean Air Act and Clean Water Act or Western Australia's Noise Abatement Act. However, various Northern Territory ordinances which are mentioned in an attachment to this paper do cover some aspects of this type of pollution. In addition, the Water Resources Branch has formulated a framework for clean water legislation and the Department of Health is expanding the Poisons Ordinance, which presently deals with the sale of poisons, to include the use of pesticides and weedicides.

Proposed sections 16 to 21 deal with litigation and administrative procedures. Crown Law opinion on these sections foresees problems where the local court is concerned and also in the matter of appeals. Some amendments may be necessary. Proposed section 20 provides for complaints to be initiated by the director on behalf of 6 independent members of the public. While the general intention here is laudable, the independence provision may be impossible to administer or prove in court and needs clearer definition.

In proposed section 22 of part IV, the control of industry, an additional provision could be inserted to allow for a register to be kept of dangerous substances whose use has been authorised with provision for regular publication of updated lists. The Department of Environment points out that, in proposed section 23, there is no specific mention of agricultural and pastoral industries. Whilst "industrial" could cover the rural sector, a specific reference to the rural industry may be preferable.

Although proposed section 24 makes some reference to the disposal of deleterious substances, it does not deal with the major issues of solid-waste disposal and recycling nor in detail with the substances requiring special consideration such as radio-active waste. The Fox Reports recommend that legislation for the Northern Territory be enacted to prohibit the holding of or dealing with radio-active substances without a licence. In proposed section 24(6), it is suggested that provision might be made for the laying out of criteria for an environmental impact statement for the establishment of a dump. In proposed section 24(8) the phrase "or poisonous or harmful to animals, birds, wildlife, fish or other aquatic life or plants" should be added. In the bill, references are frequently made to human well-being but there may be need to extend the scope to animals, birds, wildlife, fish or other aquatic life and to plants.

Part V deals with pollution to air, water and soil and, in proposed section 27, provision should be made for lowering as well as raising of the temperature. The clean air provisions fail to establish any kind of relation between possible emission standards and desirable ambient standards. Proposed sections 32 and 33 deal with soil and underground water pollution but it

would appear that, by analogy with Victorian legislation, the bill should concern itself with control of solid wastes and soil pollution. The Victorian legislation also has a section dealing with litter and this may be worth mentioning in the Territory legislation. The noise control regulations are particularly subjective and account should be taken of more sophisticated legislation elsewhere in Australia. Some consideration could perhaps be given to matching the value of fines to the extent of the damage caused to the environment.

By way of general comments, the Department of Environment has mentioned that there are several different strategies available to protect the environment. Some approaches rely on specific control measures reinforced by standards, others on the greater use of environmental planning techniques to prevent environmental problems arising or use of economic policy instruments such as pollution charges and subsidies. The reading of this bill indicates that the first mentioned strategy involving direct controls and standards has largely been adopted. Provision should be made to allow other elements of environmental management and protection to be incorporated. The degree of detail in parts of the bill may have a limiting effect if the bill was couched throughout in general terms. The actual practice of environmental protection could be amended by changes in regulations as improvements in the state of knowledge and procedures occur. The bill could then be directed at the principles of environmental protection.

I gave those comments and a cross-section of departmental and other submissions to indicate how much there is to be considered. A good deal of this information has only come to hand recently and is developed in greater detail in the other papers which I referred to earlier and which I am happy to make available to the honourable member and to discuss them with him. One view which has a good deal to commend it is that this would have been an appropriate subject on which to constitute a select committee of the Assembly to widen the opportunity for public debate and to crystallise the issue. However, it is unlikely that this strategy could now be effected in the life of the present Assembly. I understand that the Cabinet Member for Law will also have some specific points to raise. I suggest that, after these additional points have been included in the record, this debate should be adjourned so that the honourable sponsor of the bill can consider them and consult with the other interested and affected parties in this Assembly to ensure that we can make further progress along the best and, I would hope, agreed lines.

Miss ANDREW: I would address my remarks primarily to Part III as this is the part of the bill that is most directly related to my portfolio. It is my understanding of the law at present that any person may sue another at common law in the tort of nuisance. This is a civil action developed by the courts over many centuries. An action in common law nuisance lies whenever there is an invasion by one person of the interests of another person in the use and enjoyment of the latter's land. The invasion must be both substantial and unreasonable. It is a tort of very wide application extending to a vast range of undesirable activities affecting the land of another.

Side by side with this tort nuisance, the common law developed an action of public nuisance. This is an action similar to the tort of nuisance that I already mentioned which, for the purposes of the distinction, can be called private nuisance. Public nuisance did not require proof of some interference with the use and enjoyment of the land of another. To be actionable at the suit of a private individual, it did, however, require proof of some particular or special loss over and above that suffered by the ordinary citizen. Generally, the action only lay by or at the relation of the Attorney-General.

My reading of the bill now before members is that these common law actions are to be retained in the Northern Territory but with the addition of a new action of statutory nuisance supplementary to the common law action. The vital distinction in the

case of the proposed action in the statutory nuisance is that, as an alternative to proof of interference with the enjoyment of land or the use of land, it will be possible merely to provide some adverse and substantial effects on or interference with, the enjoyment of life of the person aggrieved or that there is a likelihood of such an effect or interference. In the case where a person's enjoyment of life is affected or interfered with, the nuisance must relate to one or more of the very wide list of activities specified in subclause (3) of clause 14 of the bill. Proof of either of these alternatives will be found in action in statutory nuisance. It will not be necessary to show some special or particular loss or damage to the plaintiff over and above that suffered by the ordinary citizen by the nuisance nor will the action need to be brought at the relation of the Attorney-General. However, the effect of or interference by, the statutory nuisance would have to be substantial and unreasonable having regard to all the circumstances and to any standard prescribed.

The term "reasonable enjoyment of life" is not defined in the bill but clearly it is capable of having an extremely wide application. In my view, the bill would result in a considerable extension of the present range of activities that are actionable by the private citizen as constituting a nuisance. The question that arises is whether such an extension is warranted and whether there should be any mechanism for controlling any misuse of the provisions of the bill. Everyone agrees that there is a need to maintain a healthy environment and to prevent activities that are unduly harmful to life. On the other hand, this has to be balanced against the need to maintain and develop a standard of living consistent with good and proper environmental controls. Our very civilisation depends on the adoption of this balanced point of view. To give any private citizen an open-ended right to bring actions for any alleged interference with his enjoyment of life is surely to invite trouble and to increase the difficulties of maintaining anything approaching a reasonable balance. The danger lies not so much in the fact that the courts will be brought directly into the environmental arena and will be required to make binding decisions on environmental matters, but in the fact that certain groups in our community could use the machinery of the law to bring, or to threaten to bring, actions which are neither justified nor reasonable. Such actions or the threat of such actions would add much expense and create lengthy delays in developmental proposals where these proposals, if proceeded with, may not otherwise unreasonably upset the desirable balance that I have been talking about. It may not in all cases be a sufficient deterrent that the plaintiffs could be liable for costs should they ultimately lose the action.

Having expressed these few reservations about the expansive nature of the bill, I would now like to make some more specific comments on Part III. Clause 14 of the bill proposes that an action in statutory nuisance may be brought either in the Supreme Court or in the Local Court. Either court is to have power to order abatement of the nuisance, to prohibit the recurrence or the continuance of the nuisance, to direct works to prevent the recurrence or continuance, to make a monetary award by way of damages or recompense or by way of the payment of a penalty not exceeding $200. One point that occurred to me was that, although these powers seem very wide, I wonder whether they are sufficiently wide to enable a court to make an order permitting a statutory nuisance to be continued subject to specified conditions or within specified hours. I raise this matter for the consideration of the honourable member for Port Darwin.

I do not have any particular objection to the wide nature of the powers to be given to the court, at least in so far as the Supreme Court is concerned. I do, however, express some reservations as to granting some of these powers to the Local Court which is normally constituted by a stipendiary magistrate. I note that the bill limits an award of damages in the Local Court to $2,000 which is consistent with the monetary limits on the general juris-

diction of the Local Court at the present time. I wonder whether the proposed power to order recompense in the bill is similarly limited to $2,000, I also query whether the limit of $2,000 in the case of damages can be increased with the consent of both parties to the action as presently applies to other actions in the Local Court. The Local Court has no existing powers to grant relief by way of injunction or specific performance. I note that some of the powers proposed in the bill are of a similar nature to an injunction or an order for specific performance and I have serious reservations as to whether such power should be given to the Local Court.

The honourable member can no doubt mount a reasonable argument as to why such powers are desirable to deal, for instance, with minor disputes between neighbours but I wonder whether he could mount the same argument with the same validity should a multimillion dollar mining company be involved. Perhaps a formula could be devised whereby the Local Court has given such powers only where a minor statutory nuisance was involved. Alternatively, it may need to be considered whether an order for abatement or prohibition or for performance of work under the bill should only be made at the suit of a director. I raise these reservations, not because I have any doubts as to the quality of the magistracy, but because I do not think it appropriate that actions relating to matters of major significance involving large sums of money should be dealt with by the Local Court. After all, the Local Court has been established for the purpose of the adjudication upon and recovery of relatively small debts. It is not designed to deal with complicated environmental suits.

I also raise for consideration whether there should be power for the Local Court or the Supreme Court, either on its own motion or upon application, to direct that an action brought in the Local Court be remitted to the Supreme Court. I recollect that an earlier draft of the bill did have a clause that was in some respect similar to this proposal. If the plaintiff is to have free choice of court in which to bring his action, it is quite possible that an action involving complicated matters of law or fact could be brought in the lower court where it would be much more appropriate for the matter to be dealt with in the Supreme Court. On the other side of the coin, should an action be brought in the Supreme Court which relates to a relatively minor matter, it could be considered whether there should be power for the Supreme Court to remit the matter to the lower court for hearing in these circumstances. There is nothing novel in these suggestions as there are plenty of examples of legislation providing for the transfer of actions between courts. I see merit in the proposal that the director may bring an action in statutory nuisance as a result of the bona fide complaint of at least 6 aggrieved persons. I wonder whether this clause could be expanded to give the director a more active involvement in actions brought under Part III in which he seeks such involvement. For example, it may be desirable that he should be given notice of any such actions and have power to intervene in the proceedings. I have already raised for discussion whether certain types of action should only be brought by the director or by others with his leave and I leave this matter for further thought.

I move finally to the question of appeal. I have some doubts as to whether an appeal would lie from a Supreme Court to a Local Court exercising any of its powers proposed under this bill. It seems to me only right and just that there should be such an appeal and I wonder what proposals the honourable member has in mind to achieve this. I am not similarly worried in the case of appeals from the Supreme Court as I understand that this is now covered by the Federal Court of Australia Act, this act only having recently come into operation.

I hope members will appreciate that the purpose of my remarks has not been to denigrate the bill but to offer constructive criticism. I support the concept of having reasonable and balanced environmental control but will this bill achieve this end? The subject is of great importance to the community as

a whole and needs the most detailed and careful consideration.

Debate adjourned.

DRUGS BILLS

POISONS BILL

(Serial 178)

DANGEROUS DRUGS BILL

(Serial 188)

PROHIBITED DRUGS BILL

(Serial 189)

Continued from 8 June 1977.

Mr STEELE: Having heard all the debate so far and having read the record of those speeches, I propose to discuss only one aspect of the legislative proposals before the Assembly this afternoon. I am satisfied that useful and proper amendments will be made relating to provisions on possession and the powers of the police. The main thrust of my remarks will deal with marijuana and its use in the Darwin community. In dealing with hard drugs, we are able to form logical and proper opinions because of adequate medical references. However, I am not satisfied that the same adequate medical references exist when we are called upon to debate marijuana usage and the penalties for possession.

I would like to refer to two extracts contained in the Law Reform Commission Report No. 4 of 1976 which deals with alcohol, drugs and driving. On page 95, it states: "Cannabis of which the most common forms are marijuana and hashish is an illegal drug. There are conflicting reports on its effect. It would appear to have, in strong dose at least, an hallucinogenic effect. It also has subjective psychological effects which vary from user to user." The following area of usage as described by Dr Milner in this report does open up another line of thinking as to driving under the influence of drugs. Paragraph 229 on page 99 deals with illegal drugs and reads as follows:

Opiates are hazardous to the driver. In addition, surveys of illicit drug users have shown a higher road toll than the community average. There may of course be explanations for this difference other than the effects of the drugs used. The taking of drugs may in a proportion of cases merely demonstrate a deeper malaise but, in quantitative terms, the most important illegal drug to be considered in connection with driving, and particularly its interaction with alcohol, is cannabis. Contrary to the received myth that cannabis is safer than alcohol for driving, Dr Milner asserts that cannabis alters the perception of time and distance, impairs psycho-motor skills and judgment and interacts with alcohol. Researches show that there is considerable potentiation between alcohol and THC which is the main psychoactive principle of marijuana. The evidence suggests that cannabis, especially when used as it often is in conjunction with alcohol, constitutes a significant danger when used by drivers. This may be so even though the amount of alcohol consumed is less than would otherwise significantly impair driving ability.

Legal or prescribed drugs can also be accepted as dangerous when combined with alcohol but this problem exists outside the scope of this legislation under debate. Both of these references are inconclusive as to the dangers associated with marijuana usage. I concede that there may be some cause for the concern about the long-term medical effects on the cannabis user but my research on the subject during the last 8 months, although it deals only with usage, has taken away many of the fears that I formerly held about it. There are regular users of cannabis, there are occasional users, there are once-only trial users and there is an increasing proportion of the community who tolerate the use of cannabis. The honourable member for Nightcliff made mention of this. In every office block and possibly every commercial, institutional or industrial building in Darwin, there is a cannabis user or someone who tolerates the use of canna-

bis. Every user, and I only know the respectable kind, daily runs the risk of breaking the law to satisfy his social pursuits.

I am just pointing out that, in this regard, the people that I am talking about break no other laws and, if there is any medical harm being done, they do it to themselves knowingly. The argument that I put forward is that in legislation marijuana should be treated in isolation. I do believe that it should be treated in the same way as the refined substances listed on the schedule in the Prohibited Drugs Bill serial 189. I subscribe to the view that, if the legislator has little personal knowledge of the matter in hand or if the legislator does not go back into the electorate with legislative proposals such as these, then the end result could not reflect the wishes of the community. My efforts to gain knowledge about the use of cannabis has given me some startling information. Generally, the electorate at large has no concept about the use of cannabis and, without correct medical information, the electorate is unlikely to differentiate between any of the drugs, and unlikely to accept that there is a widespread seemingly harmless usage of cannabis that I described. Because of that, I say that, at this time, we have to be more lenient to the user. I support further research and community education in regard to the use of cannabis and I suggest that, in the life of the next Assembly, an inquiry should be commenced to deal solely with the use of cannabis in the Northern Territory.

Before concluding my remarks, I must say that it is fortunate for the community that the Country-Liberal Party respects the fact that there is no party opposition in this Assembly. I have been conscious of this personally and I have gone back to the electorate and asked questions about contentious issues. I am advised that, in respect of these proposals, several hundred copies of the bill were made available to the community to obtain its views. Because of our wide experience generally, I am satisfied that the CLP has given the public the representation that they are entitled to. I believe that common sense has prevailed in all our undertakings. Not having a party opposition has made me work twice as hard and be more concerned with the consequences of our proposals.

Mr DONDAS: I rise to support the legislation. Most of the speakers have made noises about the fact that there must be some amendments to this legislation and I agree with them. Powers of entry, the search of a female, a person being involved at a party, another person being involved because somebody else was growing marijuana on his property will require amendment. However, whilst I agree that there must be some amendments to the legislation, many of the previous speakers have shown concern about whether marijuana is a dangerous drug or not. These particular bills relate to dangerous drugs and prohibited drugs. Somewhere along the line the question of the legalisation of marijuana has crept into the debate. I know that the report given to us by the sponsor is actually dated 16 February 1970 but times have not changed in this particular area because it is a very complicated issue. I would like to refer to page 74 of the report:

The committee does accept the claims that the very occasional smoking of marijuana of low THC content may well have little physical effect on a short-term or, exceptionally, on a longer-term basis. The committee, however, is not prepared to place as much reliance as did the Wootton Committee on the much quoted report of the Indian Hemp Drug Committees of 1893 to 1894 as to the absence of long-term harmful effects without drawing attention to the very different view taken by the Indian Government at the present time. India is at one with Lebanon in assigning considerable economic resources towards the eradication of cannabis cultivation and its replacement with other cash crops.

Concerning the Indian conditions a Dr K.J. Dunlop wrote: "The long term effects of Indian hemp, marijuana, makes a person a shiftless and degraded member of the community and untimately a sick member. He eventually becomes unemployed because he

is so incapable and unreliable. I have been following the controversy regarding the abuse of marijuana for some time. Living in this part of India, Assam, for the last twenty years, I have in my professional capacity had to meet and treat many patients who have smoked pot, many of them since early youth. One can always recognise a pot smoker of any duration by the fact that he will have been admitted to hospital on many occasions suffering from bronchitis. He will have a chronic non-productive cough, his exercise tolerance will be reduced and he will have considerable distension of the lungs. Why do our progressives and do-gooders, amongst which I am sad to note appear to be members of the medical profession, make statements to the press and to medical journalists stating that the drug is soft and no harm or only little harm can come from its use, when they have little or no experience of its effect in society? I think, if an enquiry were made to the Indian medical profession or to Indian social workers, a true picture of the long-term effects on the individual would emerge. Why, at a time when we see pressures being brought to bear on the government, television and the press to ban advertisements for cigarettes because they are carcinogenic and lead to premature death do we have, simultaneously, pressure groups trying to legalise a drug which kills its habituees a decade or decade and a half earlier than does tobacco".

The report was written in 1970 and it is only in the last 6 to 9 months that some form of restriction has been placed on the advertising of tobacco in the media. There are many different organisations throughout the world which have been looking at the drug problem and they have been unable to come up with any concrete evidence on whether marijuana is dangerous or not. As the Majority Leader said the other day, there are professional people diametrically opposed to each other. In other words, you have 10 people with the same qualifications and the same expertise saying that marijuana is not dangerous yet, on the other hand, you have another 10 experts equally qualified and with the same amount of competence saying that marijuana is dangerous. Until such time as one of those experts moves over to the other side of the floor, I can't accept the responsibility of legalising or even decriminalising marijuana. I have to keep it in my own mind on the hard side of the ledger.

There is no distinct proof that marijuana is a stepping-stone to the hard drugs, but are we in a position to take that risk? I don't think so. I lived in Hong Kong for six and a half years and, whilst I was there, I had one visit to Lantau Island which is where all the opium addicts, the cocaine addicts and herion addicts are sent for rehabilitation. After visiting that island, I was sick for a week and I would hate to see that situation ever come to Australia, let alone to the Northern Territory.

What would be the effect of legalising or decriminalising marijuana? I can see the government making a lot of money out of it. They could control its content, they could control the price and they could possibly control the age group to whom it was sold. However, no government throughout the free world at the moment has taken that step. Marijuana is not a problem that has been recently dumped in our laps; it is a problem that has existed for the last two or three hundred years, some people say more. Why hasn't a government legalised it? They tried in the early China wars to legalise opium. In fact, it was a British Government that first introduced the opium to the Chinese and there were such repercussions throughout the world that the British government was eventually forced to cease that practice. Nevertheless, by that time, the Chinese were addicted and they had to get their opium from other sources and they did. What I am trying to say is that, until such time as a group of experts can convince me that marijuana is not a dangerous drug, I want it incorporated in the prohibited drugs or the dangerous drugs list.

It is quite funny that very little has been said about the penalties - up to $2,000 for a first offence for a user

and $5,000 for a pusher. Very little has been said by the community that the penalties are too severe. The main concern in the last week has been from people worried about the infringements of their rights. I feel that that particular criticism, in some directions, was quite correct. The search of a female by a male is quite ridiculous and a person at a party being involved because somebody else at the party was smoking pot is also wrong. I feel that, in those areas, the amendments will be in the right direction. As far as the smoking of marijuana and the smoking of hard drugs are concerned, at this stage, it is my opinion that it is no different from a person caught shoplifting or another person breaking and entering into another person's premises. I support the bills.

Mr PERRON: When one considers some of the comments made in the House last week on this matter, one cannot help thinking that some people would be reluctant to have a hot bath for fear that they might enjoy it and might want another one. Obviously, there is a very wide diversity of opinion in this Chamber and in the community itself. I believe the difference relates largely to the difference between hard and soft drugs. To date, we have not had any speakers condemning the penalties for trafficking in or using hard drugs. There seems to be a general consensus that the use of and trafficking in hard drugs should be stamped out and, as it often involves organised crime on a very large scale, there is a need to have some very stringent and far-reaching powers to do this.

However, the use of marijuana is a different question again and, as previous speakers have mentioned, there seems to be no conclusive evidence that the use of marijuana is any more harmful than alcohol. This point has been argued back and forth in the community and it has been the subject of a large number of reports across the world for many years. However, until there are more studies undertaken into the effects of the drug cannabis, I would support moves to discourage its use. We need not, however, over-react and impose draconian penalties against the large section of the community who choose not to heed warnings that the use of marijuana may have long-term effects and may be harmful to health. The fines proposed in the Prohibited Drugs Bill are: $2,000 for a first offence for use or possession of marijuana; no financial penalty for a second offence only a jail term, a maximum of 2 years; and, for a third offence, again no financial penalty but a jail term alone, 5 years maximum. These penalties are an example of killing an ant with a hammer. They are not necessary. It is a classic case of overkill. If we wanted to stamp out car parking that badly, we could introduce the death penalty for that but it seems that, in other legislation, we make the penalty fit the crime and I feel that, in this piece of legislation, that is not being done.

It is claimed in this House last week that marijuana smokers were generally a glassy-eyed and shiftless lot without motivation and, in general, the dregs within the community. I do not think that the honourable members who espouse that view realise just how widespread the use of marijuana is within our community. There is probably no section in the community that does not have marijuana users or advocates of its use within its ranks. Unfortunately, the debate on marijuana tends to get a little out of hand from time to time and we see a lot of hypocrisy in this area. One can just imagine the one-eyed parent who sits in his chair in a drunken stupor with a can of beer in one hand and a cigarette in the other saying, "If I ever catch my kid on pot, I'll kill him". Another hypocritical situation arose over the last weekend when a man was lobbying me about how unjust it was that we should propose that police have the power to enter houses without obtaining a warrant. This gentleman was very anxious to see that laws to protect the community were very thorough and that we could not have discretions for policemen such as entering houses without warrants. He finished the conversation by saying that, if he ever found out that someone was supplying his daughter with drugs, we would not need any laws or policemen anyway because he would catch him in a dark alley and kill him.

I just point out how people can be so

adamant that the law is there to protect all individuals and must be considered very carefully yet, in a certain situation, they would have total disregard for the law and take the law into their own hands. There is a need for some more rationalisation in the debate on this subject of drugs but, apart from that, I would support amendments to these bills to provide that warrants are required to enter premises. It seems to be an area that the community is most concerned with and I would support an amendment along those lines and also that a person should not have to prove himself innocent if he is the owner of premises where people have used or are growing drugs. I believe that there should be an amendment that takes away the onus of proof from that particular person. I also disagree with the provision that, in certain cases, a male may search a female. That also has elicited criticism from the community and I believe that an amendment should be forthcoming.

To conclude, I reiterate my earlier remark that the fines for possession or use of small quantities of marijuana should be reduced by about 75% and that the jail sentence for this particular crime should be dropped. I see no necessity whatsoever to jail a person whose only crime has been that he has been caught twice smoking or possessing a small quantity of marijuana.

Mr POLLOCK: I have a few words to say on this matter. I have been quite astounded reading the press reports and hearing people talking about the separation of marijuana from hard drugs. If anybody really says that the legislation does not separate cannabis from hard drugs, he clearly has not read the legislation because, in just about every second clause of the Prohibited Drugs Bill, there is a specific distinction drawn between cannabis and the other drugs. At times, I have been unable to believe my ears that people are saying that there is no distinction in the bills. What a lot of tommy rot!

Mr Perron: Not a big enough difference.

Mr POLLOCK: That is right. There is not a big enough difference. The honourable member spoke of the $2,000 fine for cannabis and a $5,000 for other offences. There is probably not enough difference; it should be $20,000 and $100,000. We might get to that difference but that would be taking things too far and I agree with the existing provisions of the bill. There is nothing to say that a magistrate has to fine a person $2,000 for the first offence or send him to gaol for 2 years for the second offence or for 5 years for the third offence because you can see every day in the court that the magistrates use their discretion under the laws. They are able to prescribe penalties after considering all the facts. In many respects, this is a guide as to what the community thinks and the community does seriously think about these matters and considers that the use of cannabis is a serious matter, despite what some members might think, because I have heard many expressions of opinion about the dangers of cannabis.

To compare cannabis abuse with alcohol abuse is not a valid exercise because there is no valid parallel between the use of alcohol and cannabis. In a publication called "Guide to Drug Addiction and Its Treatment", M.M. Glant a British psychiatrist pointed out that alcohol intoxication is readily detectable even by lay personnel and there is a specific test for alcohol intoxication. Cannabis intoxication can be detected only by trained and experienced observers and there are no specific ready-made tests for cannabis. People under the influence of cannabis may be just as violent, aggressive, unco-ordinated and deluded as those under the influence of alcohol and that can be clearly seen around the place.

Mr Perron: You don't fine them $2,000 and then put them in jail for a second offence.

Mr SPEAKER: Order, order!

Mr POLLOCK: The honourable member for Stuart Park referred to the person who threatened that, if he caught anybody supplying drugs to his daughter, he would catch him in a back lane and kill

him. We have these type of people who are continually approaching me and others in this place in relation to the seriousness of this matter. They are all up in arms about the problem and as soon as we prepare some legislation which will basically tackle the situation, everybody is running to water.

I would like to know from the honourable sponsor how many people are being treated in our hospitals for hard drug problems at the expense of the taxpayer. I am informed that at the hospital here in Darwin a great amount of time is taken up caring for people who are on drugs. We could well do without this and we should be discouraging it, not encouraging it by reducing penalties by 75%.

Mr Perron: Being treated for marijuana use?

Mr POLLOCK: They start there. There is no evidence at all that they do not start there. There are all the accusations that that is not the case, but there is no argument that they do not start there. To a man or woman, 100% of them started with marijuana and they might have started with drink too. They are going up the scale; from marijuana, they will go on to harder drugs.

We have heard a lot about the penalties provision. In this case, many people, in typical fashion, have put the cart before the horse. They do not read the provisions of the bill which require that police officers will get a warrant to allow them to enter premises and search them. However, there are urgent circumstances which exist when police officers might not be able to leave the scene where they know a crime is being committed and go off to get the warrant. We have over the years a series of new testaments in Law Comission Reports. It is perhaps appropriate to note remarks in the report on page 96 paragraph 203: "Emergency searches necessary to prevent loss of evidence. Circumstances may be envisaged in which there will be a compelling need for immediate action in relation to a search which makes quite impractical the obtaining of a warrant, even by the means suggested in the preceding paragraph". The preceding paragraph relates to the obtaining of a warrant from a magistrate by telephone. "We have been told, and we have no reason to doubt, that such situations do arise with some frequency in the area of major narcotics law enforcement, in particular the searches in question not being technically describable as searches incident to arrest, as we have rather narrowly defined that power. It is impossible precisely to delineate the permissible scope of such emergency searches in advance. Everything will depend on the way in which the courts are prepared to construe and apply the notion. We envisage and hope the law will develop very much along the lines of the American experience noted above".

Police are not in the habit of just barging in anywhere without a warrant. It is a requirement of the law that police require a warrant to search premises and I speak from experience, that is their first desire and a responsibility to which they adhere. We have not heard of one instance here where police have not acted properly. There has been a lot of talk about how they might act improperly but we should have some confidence in them and I have even if other members have not. I believe the police exercise those powers with discretion and according to the law. The law requires that they get a warrant and I am quite positive that the police will take every opportunity to get a warrant.

Some states even prescribe that, once the police have a warrant, it can last a month but our legislation refers to a specific search. Some states even provide that the minister in charge of the police can issue search warrants that go on ad infinitum. We provide that they will apply for a warrant and I am quite sure that they will take every opportunity to obtain that warrant - that is not particularly difficult - but there are circumstances where warrants cannot be obtained because, whilst they are obtaining the warrant, the evidence is being washed down the sink. They could be trying to get a warrant at 4 o'clock in the morning and we have heard the honourable member say how happy she would be at being disturbed at 4 o'clock in the morning even

though she would be quite happy to issue warrants as the police want them if they can provide sufficient grounds for the issue. At the same time, we should have some confidence in the system and give the police this opportunity. There is a safeguard that, when the police do act without a warrant, they must make a report. It has been suggested that the legislation is not specific enough as to when that report should be made. I am quite happy to have it amended that the report must be made within 48 hours and that it must be made whether or not there will be a prosecution. I am sure the police would be quite happy with that. There is that safeguard there but that has been forgotten. All we can see are these black or khaki devils jumping up in front of us. I believe that is quite out of context with the actions of the police force as we all know them.

We also heard a lot about this search of females. Nowhere else in Australia is there any legislation that specifies that females must be searched by females. Do you mean to tell me that a man is not capable of searching a woman's handbag?

Mrs Lawrie: That is not her person you idiot.

Mr POLLOCK: It says the searching of females. If they are dressed in 50 coats, that would be every coat.

Mr Ballantyne: By standing orders, they do not search.

Mr POLLOCK: That is right, there is provision in the standing orders in these circumstances. However, to specify absolutely that a female must be searched by another female is taking things a bit too far.

Mr TAMBLING: I would like to comment on some of the issues that people have raised with me in various representations. Over the last couple of weeks, I have noticed in other places that a number of people have often referred to Fannie Bay as an area that perhaps includes all strata of Darwin's community. It certainly does. The representation that I have received on this legislation has been the most emotional and, at the same time, the most rational representation I have received on any legislation before this House. It has also been the most controversial with regard to the type of representation from each of the various sectors of the community from the established people of wealth, from the poorer sectors of the community, from the people who are more particularly concerned with living a very average life.

I believe that, on each and every occasion, I have detected extreme concern about hard drugs. However, the provisions relating to cannabis have, very unnecessarily I believe, borne the brunt of the major controversy and the emotional reaction. This seems to be because we are in a period of extreme social change when many things are happening. We regard alcohol and tobacco as being socially acceptable but recognise, at the same time, they involve dangers to personal health and, in the case of alcohol, dangers to others as a result of other actions that a person may do when under the influence of alcohol. I do not think anybody questions that, with regard to hard drugs, there has to be severe and harsh legislation, not only because of the danger to the health of the person but also because of the consequential danger to other people.

The major controversy seems to lie with regard to cannabis in that a number of people accept cannabis as being in the same category as alcohol and tobacco. I believe that, at some stage in the future, we will see legislation in which cannabis will be treated separately on the issues relating to it and not be placed with other dangerous or prohibited drugs. It will be treated because of its misuse and the effects that it has socially.

Some people have spoken about issues relating to children and this certainly concerns me. I am very concerned that any form of drug association for young children may link them with the organised crime networks that do exist. When we talk about cannabis, I would perhaps take a lighter view and ask when did each member of this Chamber have his first smoke or his first

drink. It was probably when he was at school. I certainly did. I would say that just about any student, particularly those at high school, would have an equal opportunity in today's society to be exposed to cannabis. I am particularly worried where that exposure then links those children to people who are closely linked with or peddle cannabis at the same time as they do the harder and more damaging drugs.

With regard to the issues of the police force, I certainly would support any of the proposed amendments relating to warrants. However, I accept that most of the people who have made representations to me about this have been people who do have something to fear. They worry that the policeman around the corner is a bogey man who will discover something else about their lives that they do not particularly want known. One of the representations went so far as to suggest that the police activities were politically linked and were going to impose some form of police state that was not necessarily linked up at all with the drugs legislation. It was suggested that it would be used for political purposes for searching out these types of people because they voiced political views that were different to those currently held. I don't accept that viewpoint. I believe that it is an extreme one and I have not seen evidence to support it.

Debate adjourned.

SUPPLY BILLS

ALLOCATION OF FUNDS BILL NO. 1

(Serial 210)

ALLOCATION OF FUNDS BILL NO.2

(Serial 211)

Continued from 7 June 1977.

Mr TUXWORTH: I would have preferred to speak at a later date when more information concerning expenditure during the supply period of areas that are of immediate concern to me would have been available. However, I have a duty this afternoon to try to refute some of the assumptions and assertions that have been made in the press of recent days concerning funding for community groups within the Northern Territory that will get carry-on funding from my department over the supply period. There have been claims - claims which I believe have been without foundation and have been irresponsible and michievous to say the least - to the effect that some community groups, such as St Johns, the YMCA, the YWCA, the regional councils and the Red Cross will not have funds available to them, that they are in a precarious position and that they will have to lay off staff, wind down programs and cease operations. I think it is rather unfortunate that the people involved in this sort of mischief-making should get so much running in the local press when they have so little evidence to support their claims.

In question time and during other opportunities in the House, I have made it quite plain that the various community groups within the Northern Territory that normally expect their funding from my department will continue to be funded during the supply period at the same level as they have been funded in the past 12 months. I would like to place it on record and make it known to all members that this will happen and, if any organisation or any member in this Chamber has any evidence that organisations which supply the community with services appear to be short of funds as a result of any failure of my department, I would like it brought to my attention as soon as possible. I commend the bills.

Debate adjourned.

ADJOURNMENT DEBATE

Miss ANDREW: I move that the Assembly do now adjourn.

In moving the adjournment this afternoon, there are 2 matters that I would like to draw to the attention of members. First, I would like to mention the departure last Thursday of Mr Ted Gundersen, a man who has spent considerable time and has had a wealth of experience in the public service in

the Northern Territory. Mr Gundersen came to the Northern Territory in 1947 with the Postmaster General's Department. He was here from 1947 until 1958 when he left on a promotion. Following some years in Tasmania, he returned to the Northern Territory in 1964 and, until 1969, he remained in the PMG and was promoted to the position of Assistant Postmaster. In 1969, he was promoted to the Attorney General's Department as an administrative officer and Deputy Industrial Registrar. In 1973, he went to the Water Resources Branch. After 6 months in this position, he was transferred to the position of Comptroller of Prisons, a position he held until his departure last week. He was extremely well known in Darwin. He participated actively in community activities, especially sport, and was well known both as a player and as an administrator in cricket and Australian rules football. Since the transfer of powers this year, I have worked closely with Mr Gundersen in his capacity as Comptroller of Prisons. I have been impressed by his administrative ability, his patience and his happy knack of being able to get on with people under the most difficult circumstances which exist in correctional services. I would like to pay tribute to his efficiency and to comment that a measure of the respect in which he was held has been drawn to my attention by prison officers, prisoners and senior administrative personnel. I wish Mr Gundersen well in his new job.

I would now like to comment on publicity that was recently given to the lack of community services existing in my electorate of Sanderson. Some of the comments that have been made have been somewhat ill-advised. The establishment of a community and the development of a community spirit is a process that takes time. There is much more to it than money, bricks and mortar. I think the people of Sanderson, especially the people of Anula and Wulagi, like most other areas in Darwin, are to be commended for the way in which they have developed the gardens around their homes and the way in which they are now actively participating in the improvement of the areas in which they live. The criticism was levelled at the inadequacies of the area's recreational facilities, public transport and community development.

Whilst I agree there is much room for improvement in public transport and the recreational facilities available in Darwin, I cannot agree at this stage with the criticism of the community spirit. Subdivisions down south are all too often populated after everything has been provided. Soon after the areas have been populated, one drives through them and meets with an antiseptic atmosphere. The provisions that have been made at vast expense to the developers or to the Government concerned all too often become ghost halls because the real needs of the community have been wrongly assessed. Much money has gone into the development of the area of Sanderson and the provision of houses. There has been active support for the provision of resources for local government and voluntary agencies. I feel that the important thing is to see what the community wants.

It is interesting to note that the first area to have its girl guide and boy scout movements refunctioning after the cyclone was the far northern suburbs which was the worst hit area in Darwin. These activities have continued to prosper and already service clubs have started in the new area of Sanderson. Only recently, I attended the charter night of the Lions Club of Sanderson. There must be time given for the people to assess what their needs are and there must be time under the laws of the Northern Territory for the needs, once assessed, to be put into operation. I assure you that any provision of resources for which there is a shown need in the community of Sanderson will certainly have my full support. However, I do not agree with such criticism being levelled at a number of hard-working people who have spent much of their own time and indeed their own money on establishing services and facilities for people in this area.

Mr ROBERTSON: There are times when all legislators find themselves obliged to say things that they really hoped that they would never have to say. This is one of those occasions. I propose to

deal with a matter that I raised on Wednesday 8 June in a long question to the honourable Cabinet Member for Law concerning a judgment handed down by Mr Justice Muirhead in the matter of an appeal by an Aboriginal child against a sentence imposed by an Alice Springs magistrate. I do regret having to say the things I feel obliged to say because I hold His Honour Mr Justice Muirhead in the highest personal regard. However, the nature of his judgment and its implications cannot be left unexplored. In the judgment, His Honour gives his reasons for upholding that appeal against a sentence handed down by a learned stipendiary magistrate in Alice Springs for what His Honour admits himself were quite serious offences. His Honour not only confines himself to the reasons for judgment in the matter before him, but deals at quite some length with an unfortunate incident which occurred after a matter was dealt with by the same stipendiary magistrate on 13 January this year at Papunya.

In the reasons for judgment, His Honour is highly critical of the system of justice in the Northern Territory, particularly in the Children's Court jurisdiction, and highly critical of the learned stipendiary magistrate. I would suggest that most of that criticism is ill-founded or, if it was not ill-founded, it is certainly ill-directed. On page 2 of the reasons for judgment, His Honour points out that the appellant was represented by a solicitor of Central Australian Aboriginal Legal Aid and, indeed, the appellant was so represented right from the earlier hearings and in the later appeal hearings.

Looking briefly at the facts, His Honour says that the charges were undoubtedly serious and that the appellant's record was recent but poor. He had in fact been in no trouble with the law until August of 1976, the month he removed himself from school at Alice Springs when he was cautioned for interfering with a motor vehicle. Good heavens, Mr Speaker, how young does His Honour think one should embark on a course of crime? At that time he was only 13 so the comment "recent" in the context has no real meaning at all. He was cautioned once. Four months later, he was similarly cautioned and discharged on charges of breaking, entering and stealing. Then, on 13 January 1977, he was again before the Children's Court at Papunya charged with various counts including breaking, entering, stealing and burglarly. His Honour is quite right in saying his record was poor.

On the occasion we are referring to, the 13th of January, the presiding magistrate ordered that the boy be released forthwith upon the necessary recognizance being entered into. This recognizance was a bond with surety. In answer to the questions I asked the Cabinet Member for Law, I have been advised that in fact a surety was found and that, during the course of the day, that surety waited in the court or in the precincts of the court. The fact of the matter is that that recognizance was never entered into and the surety was never entered into. His Honour directly blames the system. I do not; I directly blame the officers of Central Australian Aboriginal Legal Aid and I condemn them for their negligence. That boy was abandoned by his counsel; there is no other way of putting it. I do not care for the excuses they came up with about having to catch a place back to Alice Springs. What is the paramount consideration? Is it their comfort in getting back to Alice Springs on that night or is it the interests of their client? Surely it would be one of the most fundamental considerations for a solicitor that he should not desert his client until he is satisfied his client's interests have been looked after.

Further, the officers of Central Australian Aboriginal Legal Aid did not investigate whether or not the recognizance had ever been signed. When they got back to their comfortable little office in Alice Springs, having abandoned their client in Tennant Creek, they made absolutely no effort whatever, from the information I have been able to obtain and indeed this is alluded to very briefly in His Honour's statement, to find out if their client had ever entered into the recognizance. The reference His Honour made to the role of the Central Australian Legal

Aid, I think referred to a subsequent hearing. However, in his entire statement, he does not seem to refer to the prime responsibility of a lawyer to his clients. In fact, His Honour says: "Perhaps it may be said the counsel should have sought an adjournment in order to enable her to get in touch with the community". In that context, His Honour dismisses the responsibility of Aboriginal Legal Aid in half a sentence but, in the next half of the sentence with only the provision of a comma before the word "but", he goes on to further criticise the court. That relates to the actual hearing of the appeal.

His Honour's main point is that the learned stipendiary magistrate failed to acquaint himself with the full details of the person who was accused before him. We must remember that the magistrate lives in the town of Alice Springs. He used the term "I must protect the community" and His Honour was critical of that. Nevertheless, is it not the role again of the solicitor representing an accused person to bring all the facts before the court? It is surely not the magistrate's business, in an overworked jurisdiction such as we have down there, to go about organising the defence for the client. Surely that is the business of the solicitor? Once again, in my view, His Honour was quite wrong in castigating a magistrate because solicitors paid for by the taxpayers' money had absolutely failed in their duty. It is normal procedure that, when a person is found guilty, his solicitor presents to the court all the evidence in mitigation of penalty, presents to the bench the circumstances of background and hardship and the reasons why the person shouldn't be sentenced to a term of imprisonment. He doesn't just say to the court, "I don't think another term of imprisonment will do him any good". Having had that magnificent contribution from counsel, we have His Honour criticising the magistrate for not finding out all the information that counsel should have provided and, indeed, had an ethical responsibility to provide.

I take issue further with His Honour and again with the greatest of respect to him. He quotes a section from the magistrate's reasons for his decision. These are the words of the magistrate's reasons for his decision. These are the words of the magistrate in handing down the original sentence: "As I said to your legal friends from time to time, there is only one thing left to do and that is probably to descend to what this child wants me to do and that is to send him to jail, but I have to protect the public for some period of time from these people". His Honour picked up the words "from these people" later and, quite wrongly in my view, stated that the magistrate was referring to the Aboriginal people. For heaven's sake! We have a man who has lived at Alice Springs all these years and has served upon the bench in Alice Springs with great dedication and compassion for many years and who has the greatest sympathy for the Aboriginal people. It infuriates me that His Honour could accuse that magistrate of having a racist attitude and that is indeed what he has done in this particular judgment. The magistrate was not referring to the Aboriginal people when he said "these people"; he was talking about wrongdoers and no-one else but wrongdoers, be they black, white, brindle or pink.

Further, we have His Honour citing the case of the South Australian Juvenile Courts Act of 1971. He cites the conditions under the act which state the circumstances in which a child should be taken away from his parents and from his community and actually incarcerated. I quote from that particular act: "... and the child shall not be removed from the care of his parents or guardians except where his own welfare or the public interest cannot in the opinion of a court be adequately safeguarded otherwise than by such removal". Two points come to mind, Mr Speaker. One is "in the opinion of the court" which I would like to emphasise. It was the opinion of the court that there was no other way of safeguarding the community in this particular set of circumstances. It was an objective decision of the magistrate, not a subjective one. The magistrate has this offender before him with a long list of offences, imprisoned, convicted, cautioned and discharged on bonds and

he applied the very spirit and word of the South Australian act which His Honour lauds. Having applied that and used his judgment, he decided there was no alternative but to send this child to prison. Are we going to protect our legal system or aren't we? What an incredible act to cite as the "be all and end all" in juvenile welfare. The thing is such a shambles, is run so inefficiently and has disintegrated to such an extent that, right at this minute, it is subject to a very extensive and expensive Royal Commission into why it does not work.

I cannot help but regret that the words His Honour has used in this judgment and I support wholeheartedly the difficult job that our magistrates are doing and I support them in the way they are doing it in Alice Springs. His Honour goes to great lengths in his judgment to say that terms of imprisonment of this nature are absolutely useless and that the Northern Territory child welfare legislation assumes that certain facilities are available to it. It does assume that those facilities are available to it and His Honour quite rightly points out that those facilities are not available to it. What are we supposed to do? Are we supposed to say, "We haven't got the facilities, therefore we will do nothing?"

His Honour points out in the judgment that there are no facilities in either the Darwin or Alice Springs gaols which are useful in the rehabilitation of children, adolescents or adults. If we are to extend his argument further, does that mean we release everyone, regardless of the situation, because we have no facilities for their rehabilitation? I don't think the community would thank us for that very much. It gets back once again to the old cry that has probably been launched in this place month in and month out: when are we going to get those facilities? When are we going to get the mechanism that prevents a judgment of this nature probably handed down by His Honour in exactly the same mood of utter frustration that I am in at the moment.

Mr KENTISH: I rise to comment on a subject which I raised this morning concerning the advent of a school on the Darwin River Road in the Berry Springs area. I have not heard any agitation about this school nor have I heard about years of prodding which it generally takes to get a school moving. When a school is built after years of prodding and urging, it is generally about half the size of what is required because it has taken 3 or 4 years to build it. However, suddenly out there on the bitumen road between Berry Springs and Darwin River, one week there was bare ground and the next week there was a school.

This reminds me that we heard a question this morning about how many demountables the administration is holding. I think they would be holding a few less after last week's effort, but it is most commendable that, in this remote area where there is a need, there was a very quick response. It is something new for the Northern Territory to get that sort of action and it will have side effects of course. There are quite a lot of people getting out into those areas. It is not in my electorate but I know many people who live out that way and have great difficulty in getting children to school. A lot of people who have land out that way would live there if it was not for the lack of a school. This lack makes them live in 2 places, in town during the week and out in the bush at weekends. This school has solved the problem for those people.

There is also the matter of agriculture. The Department of the Northern Territory is often very concerned about increasing the output of fresh fruit and vegetables in this area. In that area around Berry Springs and the Darwin River, there are many places with very good soil. It will not happen as quickly as the school happened, but I predict that an increasing number of permanent residents of the area will take up agriculture on a full-time profitable basis. The water is plentiful and the schooling problem will be resolved when the school opens.

I asked another question concerning the railway line in the Top End I suppose it is about a year now since the

Top End was stripped of its railway service because it was operating at a loss. I have not heard of any state in Australia that was making a profit on its railway service. Nevertheless, we were stripped of ours as a punishment for showing a loss. At the same time, the Government seemed to have plenty of millions to splash around in various causes overseas, aiding communist aggression in Mozambique and other places like that. We may say now that insult has been added to injury; we have not only lost our trains and trucks and service but there seems to be very good reason to believe that the line itself has been sold, and not to local people who are continually inquiring about railway lines for building sheds, fences, stock yards etc. It has not been sold to those people but apparently to overseas interests. This causes immense feelings of frustration in the Northern Territory and is another reason why the sooner we get more autonomy for our own affairs, the better it will be for the Northern Territory.

Mr MANUELL: I feel compelled to rise and make one point about a question without notice which I addressed to the Cabinet Member for Education and Planning this morning. I addressed the question, admittedly, without any forewarning of its length. However, I believe the questions brought to members' attention a matter of some relevance not only to my electorate, but also to the business of this House. The question concerned the Ross Park Primary School. I believe the question relevant in that a reply that may have come from the Minister for Education appears to be a sprat to catch a mackerel. I framed this question in part in an exploratory manner and in part to confirm the impression that I and other members of my electorate have that the Education Department may be seeking ways in which to cut expenditure as far as capital items are concerned. I am not necessarily convinced this is the case but I would like to have it clearly illustrated that it is not the case.

The saga of the Ross Park Primary School has continued over a number of years and this school has been subjected to delaying tactics in the upgrading of substandard facilities. It is not only a question of facilities provided at an educational level, it is facilities provided at a safety level. There are facilities at that school provided by the Education Department under previous building standards that are dangerous exposed light switches, exposed plugs, uncovered floors, concrete floors, cracks in the walls that a man could put his hand and arm through - yet the Education Department, because of directives through certain agents, have said that there will be no upgrading of the school until such time as a decision is made to expand the school in accordance with the plans that exist. These plans continue to be deferred and deferred and deferred. As recently as late last year, through continued lobbying by myself, the parent teacher body, the headmaster and others to the Department of Education, we obtained an interim grant of $50,000 to undertake some works to rectify some of these mistakes that had occurred largely through the ageing of the school building. I suggest to you and other members of this House that some of the attitudes on the way in which our school children should be provided for in the Northern Territory leave much to be desired. On the one hand, we have an excellent new school recently established yet, by contrast, we have another facility which, despite considerable lobbying, remains run down.

I was recently advised by Senator Bernie Kilgariff who in turn had received a letter from the Minister for Education that there were certain modifications to be made. I hope the honourable Cabinet Member can tell me tomorrow whether in fact these modifications have been made and the reasons. No matter what reason they come up with for modification, there is absolutely no excuse for the continuation of education in the Northern Territory within facilities that are substandard for children and teachers alike. If the honourable Cabinet Member cannot provide me with a satisfactory answer, it will not be members of the House who should be questioned but our federal colleagues and the Education Department as a whole. I personally do not believe that there are officers

within the Education Department who want to see this situation prevail but, nevertheless, I am not prone to accepting the philosophy of offering a sprat to catch a mackerel.

Mr BALLANTYNE: Mr Speaker, there is a tremendous amount of sporting activity in the Territory and it takes a great deal of effort and work by the people associated with the various sporting bodies to organise these sports, to raise funds and to get an interchange of competition between one centre and another - I refer to the major centres in the Territory: Alice Springs, Nhulunbuy, Darwin, Katherine and Tennant Creek - and to embark on an interchange of sporting activities requires a tremendous amount of money. What sort of money has been allocated to the Territory over the years to assist these amateur sporting bodies? They not only hold Territory competitions but are also involved in interstate competitions once or twice a year. I refer to bodies such as the junior soccer, hockey, Australian rules, baseball, cricket and all the well known sports, even including the Little Atheletics Association. I still cannot find out just exactly what sort of funding we are to receive in the Territory because there seems to be some duckshoving in the departments as to how much we will get. Not so very long ago, the Prime Minister said there would be $20m dollars set aside to enable sporting bodies to be able to compete on a national basis. In the Territory, we have as many sporting people to compete on the national scale and who are able to hold their own as well as any other state in Australia. I refer to this matter in order to encourage somebody to examine the sporting activities of the whole of the Territory and perhaps assist with air fares to help teams to compete on the national scene. As parents, we would like to see our children have an equal opportunity and the only way they can have opportunity at the junior level is to compete against other states.

I would like to raise the matter of community creches. I feel that there has not been enough done in the past to create such creches. Recently, I was on the select committee inquiring into the Regional Councils for Social Development and we discovered that Katherine and Tennant Creek had just opened creches. It seems to me that there is something lacking when these long-established places have taken so long to get moving. Sometimes, it only has to be sparked off by one person and the others will follow but I think, with our system of government, we should have someone there to act as an adviser to help these people start off.

In Nhulunbuy, the young mothers are trying to establish a creche but they do not have any buildings. We are a company owned town, but we do not like to think it is a company owned town, but rather a community involved town. For people to set up a creche in an area such a Nhulunbuy, it would take an awful lot of money and I am sure that the Nabalco Company there would do everything to assist any group. I think that the Government should have a look at these isolated areas and also the major areas of the Territory.

We have spoken in the past about drugs and alcoholism. I would like to refer to the change of law for deciminalising drunkenness in the Territory and, for that matter, in other states. The previous government that was responsible for this said that they were going to build detoxification centres and supply all the necessary requirements because they had reports in the past that jailing drunks was a waste of time and effort; However, I feel that it is not only the Government's responsibility but the community should also start to organise some proper facilities to cater for drunks. In other states, they have places where they treat alcoholics. We have areas in our hospitals, but you can't leave it to the hospitals all the time.

The same thing applies to drugs and I am not necessarily talking about the drugs we have been discussing here today. There are people who are living on drugs every day of their lives, drugs that have been prescribed by doctors. Many of them have nervous disorders or may have some imbalance in their bodies whereby they continually need to be on drugs. Sometimes these people need help from advisory bureaus. Perhaps, we

could do the same thing with alcoholism, It is always left to the minority groups, the poor volunteers, the social worker people but there is no real assistance given to these projects, I would like this Assembly to look at this problem over the next few months and take a stance on this.

Another matter I would like to talk about is permits. I asked a question today about permits for people going from Gove to Katherine. Since we introduced the Aboriginal Land and Sacred Sites Bill into this Assembly, there have been people changing the permit laws unbeknown to everybody. As far as I am concerned, permits in the Territory remain as they are. For some reason, we have spokesmen, and I don't know whether they are just members of the ordinary public or they come from the Aboriginal Affairs Department, but they are making up their own rules. If you want a permit to go from Gove down to Katherine, it will require 15 permits one person said, Where in your life have you ever heard such nonsense? It is absolute rubbish and I will quote from a recent statement made by the opposition party in the Gove Gazette on 27 May:

> *The system of having local authorised Aborigines issuing permits is completely unworkable. It would mean the person would need about 15 permits to travel from Gove to Katherine. Further, it would be virtually impossible to recognise and contact these authorised Aboriginals so, thanks to the Legislative Assembly, the isolation of people of Gove would be complete.*

Have you ever heard such rubbish in all your life, Mr Speaker? They are the sort of people who are trying to denigrate the Legislative Assembly by making a statement which is completely untrue. I am sure that many of these people that we get answers from are working closely with these people. I would like to challenge the Aboriginal Affairs Department to make a statement to the effect that one will require 15 permits to go from Gove to Katherine and that, at the present moment, it takes 2 to 3 months to get that permit, Nowhere have I seen an advertisement or a public notice that permits will now be hard to get. You only have to go back to the 1972 debates to know what the feelings were on permits in those days, Now someone else is coming up and making laws. The law is there in the Social Welfare Ordinance and we have not made any changes to that. They still should and must apply. The authorised Aboriginals, the traditional owners in that area, are only too pleased to help the people of Nhulumbuy. They have spoken out many times and said that they want to work with us and I don't think that they would have changed their minds. Once an Aboriginal person makes up his mind, particularly the tribal Aborigine, he does not change it. Here is a person saying that he cannot recognise the authorised Aboriginal person, That is not true. These people have said quite categorically to the Aboriginal Affairs Department that they want full cooperation with the Nhulumbuy people and I doubt whether they would go against their word.

Motion agreed to; the Assembly adjourned.

Wednesday 15 June 1977

Mr Speaker MacFarlane took the Chair at 10 am.

PAROLE OF PRISONERS BILL

(Serial 214)

Bill presented and read a first time.

Miss ANDREW: I move that the bill be now read a second time.

The purpose of this bill is to amend the Parole of Prisoners Ordinance to give statutory effect to the transfer of responsibility for parole from the Minister of the Northern Territory to the Northern Territory Legislative Assembly. This ordinance was not covered by the legislative amendments effected by the Transfer of Powers Ordinance.

Specifically, the amendments included in the bill transfer the responsibility for policy and administrative direction of the ordinance from the Administrator or Administrator in Council to the Executive Member. The amendment covers such matters as the appointment of members to the Parole Board, appointment of parole officers, appointment and direction of the secretary of the board and the general machinery for administrative support for the board. As well, it is proposed that the matter of fees and allowances for board members will be prescribed in lieu of the present provision of determination by the Administrator in Council.

These matters are consistent with policies already developed in this Assembly for the administration of Northern Territory legislation covering transferred powers and functions. It is important to note that the status and independence of the Northern Territory Parole Board is not disturbed by the amendment. The Parole Board of the Northern Territory had its first meeting in December of last year under the chairmanship of the Chief Judge, Justice Forster. To the present time, the board has met on 6 occasions and has considered 79 cases. In the course of its deliberations, it has granted release to parole to 20 prisoners and has refused applications from 4.

By an arrangement with the Attorney-General, the Northern Territory Parole Board considers and gives recommendations to the Attorney-General on applications by prisoners for release on licence and on the release of N.T. prisoners held in institutions in southern states. Thus far, the Parole Board has convened at Darwin on 5 occasions and at Alice Springs on 1, and it hopes eventually to extend this meeting in various locations throughout the Territory as appropriate. The board has revoked the parole orders of 2 released parolees and other parolees have had their parole orders cancelled by courts of summary jurisdiction when brought before those courts by police officers.

The Parole Board has demonstrated a willingness to deal with difficult problems and, although it has been subjected to some unfounded criticism, has remained steadfast. It has worked under some considerable difficulties and, if the transfer of responsibilities for the parole function fails to provide officers to counsel prisoners and to give reports on their preparedness for release and to supervise them on parole, the Department of Northern Territory has provided officers who can devote limited amounts of time to these duties. This has caused monumental problems in relation to priorities and the Parole Board has sometimes experienced long delays in the provision of materials. The Public Service Commissioner is fortunately currently considering staffing proposals for a probation and parole service within the Correctional Services Unit and I hope that a decision on these proposals will enable recruitment action to proceed without undue delay. It should, however, be noted that officers recruited may not be available to perform their duties for a considerable period pending their successful completion of a proposed training period. I commend the bill.

Debate adjourned.

CROWN LANDS (VALIDATION OF LEASES) BILL

(Serial 212)

Bill presented and read a first time.

Mr POLLOCK: I move that the bill be now read a second time.

At the outset, I should point out that this legislation is introduced into this House at the request of the Commonwealth Government through the Department of the Northern Territory. I read the notes prepared by that Department.

This bill is designed to correct an anomalous situation in the areas of the former Woolner and Mudburra Aboriginal Reserves where 2 pastoral leases and 1 agricultural lease now exist. The Woolner Aboriginal Reserve was an area of about 366 square miles or 948 square kilometres lying to the east of the Adelaide River and adjacent to the coast of Adam Bay and Chambers Bay. Pastoral lease 793 now extends over part of this area. Agricultural lease 371 also lies within the area of this former Aboriginal reserve and covers about 160 hectares. The former Mudburra Aboriginal Reserve covered an area of about 580 square miles or 1,502 square kilometres in the Humbert River area of the Victoria River district. Pastoral lease 727 now exists in that area and includes the whole of the area of the former Aboriginal reserve.

Proclamations purporting to create, resume or revoke these reserves were made between the years 1892 and 1948 but contained several errors. According to a recent legal opinion, these reserves may not have been properly revoked and, consequently, the leases may have been invalidly granted. It may be that the indefensibility of a title registered under the Torrens Title System would be sufficient to counter any invalidity, but it is desirable to place the matter beyond doubt and to ensure that the rights and obligations of lessors and lessees are protected. Although provisions exist in the Crown Lands Ordinance for the revocation of leases, the problem could not be solved in this way because no provisions exist whereby the direct grant of new pastoral leases or an agricultural lease could be made to the lessees. They would have to compete with other applicants before the Land Board under the provisions of section 10 of the Crown Lands Ordinance. The lessees should not have to face fresh competition to secure leases to which they are already entitled.

Turning more particularly to the bill, clause 2 has the effect of terminating the existence of reserves on the appropriate dated according to the proclamations purporting to revoke the reserves. Clause 3 validates the existence of the leases as from the dates on which the leases were purported to have commenced. Schedule 1 lists the proclamations by which the reserves were created giving the dates of the proclamations in column 1 and the details in column 2. The date given in column 3 is that of a further pro clamation which purported to revoke the reserve. Schedule 2 gives details of the 3 leases concerned. I commend the bill.

Debate adjourned.

BUILDING SOCIETIES BILL

(Serial 206)

Bill presented and read a first time.

Miss ANDREW: I move that the bill be now read a second time.

I introduce this bill for two reasons. Firstly, it seeks to insert a new definition of "Registrars of Building Societies" in the Building Societies Act and Ordinance. At present, it would appear that the Registrar-General, an officer now appointed by the Administrator in Council under the Registration Ordinance, is one and the same person as the Registrar of Building Societies under the South Australian Building Societies Act 1881. That act, which is still in force in the Northern Territory, defines the term "Registrar" as the "Registrar General of Deeds for the time being of the Province of South Australia or his deputy or any other person appointed for that purpose". The office of the Registrar General of Deeds originally derived from the South Australian Act of 1841. It seems that his functions were taken over by the officer holding the position of

Registrar General for South Australia by virtue of a number of suceeding South Australian acts. As far as the Northern Territory is concerned, the Registrar General appointed under the Registration Ordinance took the powers, functions and duties of the Registrar-General for South Australia. I refer members to section 6 of the Registration Ordinance. Section 14 of the Interpretation Ordinance may also be relevant in this regard.

In my view, it is desirable to amend the definition of "Registrar of Building Societies" to tie it to some other existing public office created by the law of the Northern Territory. The most appropriate office is the Registrar of Companies under the Companies Ordinance, the present occupant of which is also the Registrar-General. Clause 4 of the bill seeks to do this. Clause 4 is also designed to remove any doubt as to the validity of past actions of persons in the public service taken pursuant to the Building Societies Act.

Secondly, the bill proposes to insert a new subsection in section 4 of the act relating to the registration of permanent building societies. At the present time, there is no requirement that a building society must have a minimum capitalisation nor that any proportion of the capital must be issued on terms restricting its payment within any specified period of time. Thus, for example, it would be possible to register a new building society on a very small share capital repayable on demand. This is clearly not desirable in situations where the building society has a lawful right to seek investments from the public. This bill will require for registration a minimum share capital of $500,000 of which one half is not to be subject to repayments for 3 years. I foreshadow an amendment in committee designed to clarify the meaning of the term "share capital" in the proposed new subsection.

I would like to stress to members that this is an interim amendment only pending a comprehensive review of the legislation. The object of this review would be to ensure that building societies are established and maintained on a sound financial basis such that members can continue to feel confident in investing in them. Building societies have a very important role to play in the provision of housing in the Northern Territory. Their status and continuing viability should, as far as it is possible, be encouraged and facilitated by the legislation controlling them. At the same time, any legislative requirements covering the operation of building societies should be applied equally to both existing societies and any new societies that might be established. It is hoped that the necessary assistance will be obtained to enable proper instructions to be prepared for new legislation in the not too distant future. I commend the bill.

Debate adjourned.

MOTOR VEHICLES BILL

(Serial 198)

Continued from 14 June 1977.

In Committee:

Clauses 1 to 3 agreed to.

New clause 3A:

Mr RYAN: I move new clause 3A be inserted as circulated in amendment schedule 11.1.

The requirements in this bill for the registration of a trailer are based on the maximum unladen weight of 500 kilograms and a maximum laden weight of 1 tonne. However, there is no offence in the ordinance for towing a trailer with laden weight in excess of 1 tonne without the registered braking provisions. This clause creates such an offence as a means of compelling people to comply with what are to be accepted as safe trailer weight limits.

New clause 3A agreed to.

Clause 4:

Mr RYAN: I move amendment 11.2.

This particular amendment has received quite a bit of discussion outside and in the Chamber. The comments of the

member for Port Darwin on the discretion this provision would vest in the registrar have been noted. However, we are dealing with an area where discretion is necessary. Trailers do not bear an indication of maximum capacity. Proposed subclause (4)(b) has been amended to indicate the factors to be taken into consideration when determining maximum carrying capacity. With those guidelines, the decision or capacity must be with the examining officers and the registrar.

I must state that I am relatively unconcerned about what has happened in the past. The Registrar of Motor Vehicles is now a Territory public servant and subject to Executive direction. I do not expect any arbitrary or improper use of the discretion vested in him but, if there should be such instances, I would hope that they are speedily brought to my notice so I can ensure they will not be repeated.

Mr WITHNALL: The amendment does very little to change the original terms of the bill. Indeed, I think the terminology of the amendment may be even worse than the terminology of the clause as originally proposed. It seems to me that, to vest a discretion in the registrar without providing him with guidelines at all, is not really giving sufficient information to the public for it to know, when constructing a trailer or when taking a trailer down to be registered, whether or not the independent braking system should be fitted. To fit an independent braking system to an existing trailer requires quite a lot of work and it is almost impossible, on the terms of the clause now proposed, for anybody to know whether the registrar will or will not require a braking system.

What has the registrar to do? He has to form an opinion about the laden mass of a trailer. The laden mass of a trailer obviously varies according to whether you are carrying feathers or lead and there is no indication given to the registrar on what "laden mass" really means. It is a very vague and a very improper discretion to vest in a public officer because you do not tell him how he shall ascertain how the laden mass should be worked out. You do not talk about the cubic capacity which is pretty easy. How can the registrar honestly say, "In my opinion, when that trailer is loaded, it will weigh more than a tonne?" Obviously, he must know what it will be loaded with.

The amendment does not meet the problem that I referred to in the second reading of this bill. I do plead with the honourable member not to leave this sort of discretion to a registrar in this very vague and unsatisfactory way but to spell it out so that the people who have to register vehicles will understand exactly what they ought to do to a particular trailer before they go to register it. He should take away from the registrar what will become an almost impossible task of determining what the laden mass of a trailer "will be capable of". The expression that the honourable member has used is probably the lousiest piece of English I have read in my life because I did not know that a weight is capable of anything. I have never read such rubbish. Perhaps it derives from the education system, I do not know. Incidentally, Mr Chairman, you had better draw the attention of the Clerks to the fact that "independent" should be spelt with 3 "e's" and not an "a".

I really think that the honourable member has not understood the seriousness of what he is now proposing.

Mr RYAN: Fortunately, the people who will administer this particular legislation are not lawyers and they will be able to read it the way I read it and interpret it. I will be overseeing the operations and I am quite sure that the wording of the bill leaves discretion with the registrar. I had a talk to the honourable member for Port Darwin but he did not have any suggestions to make. All he could tell me was that it was wrong so I undertook to try to improve it as best I could. I intend to leave the amendment as it stands.

On the point that the honourable member makes about the English, I am not competent to comment. It appears to me that it is readable and I intend to leave it as it is.

The Committee divided:

Ayes 12	Noes 2
Mr Ballantyne	Mrs Lawrie
Mr Dondas	Mr Withnall
Mr Everingham	
Dr Letts	
Mr Manuell	
Mr Pollock	
Mr Robertson	
Mr Ryan	
Mr Steele	
Mr Tambling	
Mr Tuxworth	
Mr Vale	

Clause 4, as amended, agreed to.

Title agreed to.

In Assembly:

Bill reported; report adopted.

Mr ROBERTSON: I intended participating in the committee stages on this bill but I am afraid that I was caught out because I was looking at the wrong schedule of amendments. As I indicated in the second-reading stage, the original purpose of this bill arose out of a request to the honourable member for Stuart to provide a mechanism for the registration of a trailer for a specific purpose, namely the one owned by the Alice Springs Gliding Club. It is incredible what the quest for a simple solution to a very simple problem can actually evolve into. We started off with a very simple amendment and we ended up with the hassle in committee this morning. I see no problem at all with the legislation now that I have had a closer look at it. It will be interesting to see how the Cabinet Member for Transport and Industry administers the legislation and how his staff actually go about implementing it. I think that the bill will achieve what it seeks to achieve and that the discretion, if properly applied, will overcome all the problems that gave rise to this particular piece of legislation.

Bill read a third time.

RANGER URANIUM ENVIRONMENTAL INQUIRY REPORTS

Continued from 7 June.

Dr LETTS: Although there was some debate in the House of Representatives on the eve of its rising on the uranium issue, the Second Report of the Ranger Uranium Environmental Inquiry still awaits full treatment by the Commonwealth Parliament and the Government. The debate which I now initiate provides members of this Assembly with an early opportunity to put some views before the public and the Commonwealth Government.

I am aware of the limitations under which many members will be working in this debate. We have not yet obtained sufficient copies of the report to distribute them individually and members have had to share reports. I should explain the way in which this has come about. The second report dated 17 May was released publicly on 25 May. It was presented to 2 Commonwealth Ministers, the Minister for Environment under the Environment Protection (Impact of Proposals) Act and the Minister for Aboriginal Affairs under the Aboriginal Land Rights (Northern Territory) Act. Due to a quirk of the interaction between these 2 acts, it was not presented to the Minister for the Northern Territory as would normally be the case of a report by an Aboriginal Land Commissioner. This is in itself a major weakness in the way the Commonwealth Government set things up. In the event, copies of the report came to the Department of Aboriginal Affairs in Darwin and to some booksellers. There is no office of the Department of the Environment here. Despite the obvious responsibilities which the Assembly holds under the Lands Right Act and with the transfer of the environmental function as from 1 January 1977, no effort was made to furnish copies to members of the Assembly. The office of my department was able to prise 5 copies from the Department of Aboriginal Affairs and purchase another 3 in the shops. Further copies are now on order.

The apparent disregard for us and discourtesy on the part of the ministers and departments concerned is a matter for deep regret. However, I believe the Government is interested in our views and this debate has been arranged accordingly. Even if more time and opportunity had been available to

examine the second report, the time limit of 20 minutes per person allotted for debate would restrict the range of comments possible. For this occasion therefore, I have moved a general motion to note the reports and this would not preclude the Assembly from arranging a further debate on a more specific motion at a later sittings.

My comments will fall into 2 categories: first, I will give some evaluation of the Fox Report both generally and on particular points and, secondly, I will clarify the policy and the attitude of the Majority Party on uranium mining in the Territory. The Fox Commission arose initially out of the Environment Protection (Impact of Proposals) Act passed by the Labor Government late in 1974. The inquiry was set up in 1975. The elastic terms of reference which are set out on page 1 of the Second Report were stretched even further late in 1976 when the Coalition Government belatedly gave the Commission additional functions under the Aboriginal Land Rights (Northern Territory) Act.

The commission was a new type of body, governed by unique legislation, to perform a function with no previous Australian model to follow. As with any prototype, one might expect some difficulties in performance to show up and perhaps later models might be expected to do better because of the experience gained. I do not think that the Commonwealth Parliament and the present Government should avoid their duty to make constructive criticism and effect changes in their legislation or machinery in the light of this experience. Surely the Fox Commission and its report are not above this, nor must all its recommendations be slavishly followed. As I have previously remarked in this Chamber, that was the weakness of the Woodward Report - it was never subjected to critical analysis by a parliamentary body and now comes to be accepted as gospel. Do not let us make the same mistake twice.

In saying that, let it not be thought that I am offering any personal criticism of the commission. They worked in a dedicated and tireless manner on a most difficult assignment and I speak from the personal experience of some 8 hours in the witness box on 2 occasions plus other contacts with them and their advisers. The Commissioner treated me with every consideration and, in passing, let me dispel the partisan reports which have appeared in a number of places that he rebuked me for certain of the evidence given in Sydney. The transcript of that evidence proves otherwise.

Perhaps, the magnitude of the task they were given in some respects exceeded any reasonable demand and expectations of government. To make themselves sufficiently expert to pass judgment in many complex technical fields, which other men take a life time to master, in my view, may well have proved too difficult. These areas include mining technology, international mineral marketing, environment and national parks, anthropology and Aboriginal tradition and the complexities of land use. They had to understand the interaction of other Commonwealth laws such as the National Parks and Wildlife Conservation Act and the Land Acquisition Act together with Territory laws over quite a wide field. They had to attempt to acquire an understanding of policy issues, some of which had been evolving between the Territory and the Commonwealth Government for over 2 or 3 decades.

They were at times handicapped by deficiencies or lack of balance in evidence given, including that from some government instrumentalities. The Government at times could have made sure that vital information was immediately and clearly presented, as in the case of recent mineral discoveries in the area. I was in the court on the day that it first came to the notice of the Fox Commission that there had been a new find in the area and this was a very relevant piece of information for their consideration and recommendations but nobody had bothered to tell them even though it had apparently been public knowledge for several weeks. The apparent conflicts in legislation and policy between different ministries and departments must have caused some problems to them, as it often does to us. It is not surprising then that some of the eggs be-

come scrambled.

Let me illustrate this by reference to the approach the Commission used to the national park question. Back in 1974, Judge Woodward, without making a very deep appreciation of all the issues, had postulated a joing arrangement in the planning and management of parks and wildlife conservation areas between Aborigines and government authorities. He had in mind, in particular, sanctuaries where they occur on Aboriginal Reserves. However, the following year, 1975 when the Commonwealth Government passed its National Parks and Wildlife Act, it clearly stated a fundamental principle in section 7 that any park to be declared by the Governor-General under the act would consist of land "in respect of which all right, title and interest is vested in Australia".

We have the Fox Commission suggesting the granting of Aboriginal freehold title to some unalienated areas followed by long-term lease-back to the Government for parks purposes or, alternatively, the declaration of park areas under the current act, followed by the granting of Aboriginal claims for freehold title over the same area. It is easy enough for the commission to talk about amending legislation and cordial agreements on management, but the real problem is one of contradictory principles and concepts. It is not that I am against the proposed arrangement because it involves Aboriginal ownership. Any private ownership presents problems in relation to what should fundamentally be the public domain, A 2 master system of control with independent arbitration of dispute holds nothing but the promise of future trouble. I do not know how the Government will unscramble that one. On the other hand, the ideas for involvement of Aboriginals in the advice and decision-making processes and in the staffing of the parks merits our strong support.

I believe that Territorians will find much to take issue with in the report. While, on the one hand, it is recommended that the mining town be in a national park, it is proposed, on the other hand, to restrict tourism and the facilities to visitors for whom it is one of the functions of a national park to cater. I predict that there will be a considerable reaction to that proposal. Again, while grudgingly not opposing the proposed site for the township completely, the commission recommends investigation of another site which they have picked out on a map and not by personal investigation and inspection. This alternative site appears to lie within 1 kilometre of the most recent uranium find and, with that in mind, its investigation would be an unnecessary waste of time because it would suffer more from any of the possible disadvantages than the present site.

Territorians will again look with raised eyebrows at the new bodies which are proposed to be set up, if the Fox recommendations are accepted, to exercise various types of authority in the region. We have the proposed Uranium Advisory Council which looks into the question of future exploration in the region and we have a coordinating committee of all agencies which will be concerned with research and monitoring involving the mining companies, national park authorities, the Northern Land Council and so on. This coordinating committee is to be chaired by a supervising scientist to be appointed to the Department of Environment in Canberra who will also be the head of the Research Institute up here. On top of that, we have this recommendation that I have earlier referred to as the joint management of national parks bet ween Aboriginals and park authorities with provision for arbitration in the event of a dispute.

What all this seems to add up to is a bureaucrat's dream and a public nightmare and I do take exception personally to the view that an officer of the Department of Environment based in Canberra should occupy the role which the Fox Commission has suggested to him knowing that government policy is for delegation of as much authority as possible to the parks and wildlife people of the Territory with the participation and cooperation of federal agencies. These, and no doubt many other criticisms of points in the report, I will leave to other speakers to

develop in this or a later debate.

One particular feature of the hearings which has led to quite widespread concern and to important recommendations in the report was in connection with land claims between the East and South Alligator Rivers. These were the first major claims over a large tract of unalienated crown land under the new legislation. The land council was able to mount a strong, well-supported task force to present its case. Despite widespread advertising of the hearings, the community at large was taken by surprise and, with limited resources at their disposal, many people were unable to satisfactorily put forward a case on behalf of other interests in the area or to question the claims, some of which in the eyes of some people appeared quite tenuous.

I would like to quote an extract from my evidence in cross-examination before the Fox Commission in Sydney on 22 March 1977 which illustrates a point of view to which the commission, under the terms of the act, might well have given more serious consideration. The extract starts with a cross-examination by Mr W. Gray, an officer of the Department of Aboriginal Affairs, who was sitting on the advisory panel to the Commission:

Mr Gray: Can we take it that this particular option that you put forward based on the concept of the Gibb system would be your preference for the satisfying of needs of Aboriginal people outside reserves?

Dr Letts: I do not think I can answer that yes or no in the way that you have expressed it.

Mr Gray: Let us put it down to the region. Would it be your preference, as far as the Alligator River region is concerned, that the people meet presumably their material needs by lease over a smaller area of land than that which they have claimed.

Dr Letts: I think it would be in the better interests of the general community if needs could be agreeably met by not involving the alienation of large contiguous areas of country if it is possible to do it in another way.

Mr Gray: And do you know, I take it that you have had no consultation with the Aboriginal people concerned, but nevertheless, would you know whether or not that particular scheme might satisfy their expectations?

Dr Letts: I do not know. It is just a scheme I want to see thoroughly explored.

Mr Gray: Given that it is a very new administration, your administration or others have not, to your knowledge, explored that particular proposition with the Aboriginal people we are talking of?

Dr Letts: I am going from memory now but I have seen the transcript of an interview that was conducted with one of the claimants to this area some time ago and my interpretation of what was said in that interview was that the claimant was looking for what I might call a sit-down area. He referred to running a few pigs and having some country in which he could grow fruit trees. That was the particular interest which he expressed.

Mr Gray: If they were to have these sit-down areas as you describe them, rather than having access to a wider area of land, possibly including the mine sites and so on, one assumes that anything happening outside their land would not be subject to the provisions of the Aboriginal Land Rights Act and, as a consequence, they would not have access, would they, to the royalties that might accrue from mining if in fact that mining took place upon Aboriginal land. That would be the actual ramification, would it not?

Dr Letts: Yes.

Mr Gray: They would also have no entitlement to come to terms or make conditions with the mining people concerned and that would also be a ramification, would it not?

Dr Letts: That is correct.

Mr Gray: Would you see that as being a desirable situation?

Dr Letts: I think that you have got to weigh or balance the idea of setting aside a tract of land against the possibility that somebody might find diamonds or oil or uranium or something else on it, in which case the Aborigines would get an advantage, which if they had not been granted title to it they would not have, against the other needs, requirements and interests of the community. The extension of your proposal is to set the whole Northern Territory aside against the event that something might be discovered and you have not claimed the right piece of country as it were.

Mr Gray: Are you suggesting then that perhaps the claim might be motivated by a sense of commercial gain that might accrue to these people if in fact mines were to be found on their land that they have claimed?

Dr Letts: I have not made that suggestion, that was your idea.

Mr Gray: I am asking whether you agree with it.

Mr Presiding Commissioner Fox: You are asking whether he suggests it.

Mr Gray: All right, I am asking whether you suggest that the claim as made has been motivated by their knowledge that there are some valuable deposits within the area claimed?

Dr Letts: Perhaps not so much by their knowledge but I believe that the advisers to the Aboriginal people, the claimants, see it as their task and, if I were one this is the way I would see it, to get the maximum possible advantage for their Aboriginal clients.

Having dealt with some of the questions which are raised in the minds of Territory people and some of the matters which I think that they would dispute with the report of the commission. I turn now to the form and construction of the report which, as I see it, presents some difficulties With 335 pages plus appendices, it is not built for easy reading or reference. The problem seems to be that, in attempting a comprehensive coverage of all the issues, the report does not provide a succinct, easy-to-read-and-understand basis for widespread public debate. Perhaps the 2 objectives are incompatible. I refrain from suggesting that another body is needed to simplify and streamline the Fox Report but no doubt there are inter-departmental committees at work attempting that very task.

Let me again illustrate this point. Two key parts of this report are chapter 18, "Future Action" and the principal recommendations at the end of the main report. To follow them, one needs a knowledge of the whole report, a brilliant memory, 4 pairs of hands and plenty of book marks. If I could illustrate that, chapter 18 details some of the recommendations made elsewhere. "Under the Aboriginal Land Rights (Northern Territory) Act 1976 that a certain area of land in the region become Aboriginal land (chapter 15)". They do not tell you what that certain area is and presumably you turn to chapter 15 to find out. It is not a specific reference to a part of chapter 15 but the whole of the chapter is given as a reference. You turn to chapter 15 and, after reading that, you find on pages 282 to 283 that "unalienated crown land referred to in (a) and (b) above but excluding the area selected as the regional centre be granted to a land trust for the benefit of Aboriginals, the clan groups mentioned in (d)". Thus, you have to find paragraph (d) and paragraphs (a) and (b) that are some couple of pages earlier on. They tell you in paragraphs (a) and (b) that the land shown on map 16, which is on page 278, within the line edged in red excluding Cooinda is the piece of land they are talking about.

Reading further on in that chapter, the report said, "There are obvious difficulties in giving to a land trust, a registerable title in respect of the land thus delineated (see chapter 14)". Again, there is no specific reference but only to the whole chapter. It goes on to say that a proper and sensible

boundary would be as shown by blue edging on map 16. Map 16 contains areas edged in read and areas edged in blue and they are different. "We recommend that Aboriginal title be given in respect of land within the boundary". By this time, you start to become fairly confused. Then you turn to chapter 14 to find out what they mean by the land thus delineated and, in chapter 14, you find an extract that is relevant: "Grants to land trusts are to be in fee simple and the trusts are entitled to have them registered". They refer to various sections of various acts. "The boundaries are to be set out. Planned boundaries are irregular and curved. They plainly could not be fixed accutately ...". You read 3 chapters, look at various maps and extracts and, I suggest, you are still not completely sure which piece of land they are referring to, although I have concluded that it is basically what we call the sanctuary area. I could illustrate right through the report similar complex interactions of references which made the report very hard to follow.

I would like to use the remaining time to propose what should be accepted by the Government as a positive policy for the region. I have formed an appreciation of the situation using information from the Fox Reports and from other sources under 4 headings: environmental, economic, international and social issues. The hazards to the environment arising directly from mining are in my view capable of being satisfactorily controlled, with provisions for shut down if they are not. Given the controls proposed, including dilution factors from seasonal flooding, the dangers to the wet lands and to humans in the mine and the township have been over-emphasised and, in some cases, exaggerated. The effects on surrounding park areas by human intrusion can also be minimised by proper management. This will depend on the cooperation of the Commonwealth and Territory authorities and the provision of adequate resources in staff and finance.

The economic benefits to the Territory and Australia from mining are clear. There is the combined effect of export income, Commonwealth tax revenue, royalty payments, construction and service industries, employment and tourism. A growing Territory must develop a stronger economic basis from the sensible utilisation of resources. I doubt if the commission's appreciation of market factors reflects the true commercial position as judged by those engaged directly in the business and its views in this area may well be conservative. The information that I have received underlines the value of early rather than late developments.

I do not accept the logic or force of the moral arguments which have been raised against the mining and export of uranium. Australia's interests on the international scene will be best served by helping to provide bridging energy to those acutely in need, by minimising the use of breeder reactors, by selective marketing to responsible users and by encouraging peaceful users while discouraging proliferation of material which could be used for aggression.

The social issues centre around the relationship between mining, associated regional activities and the Aboriginal people. Accepting the commission's firm view that "Aboriginal opposition to mining should not be allowed to prevail," and the points outlined above, it is imperative that solutions should be found without delay. Agreement on Aboriginal interests and benefits from mining should be negotiated as top priority within a reasonable time. Adequate land for use and occupation should be provided to existing communities. Training and employment in parks and other work areas should commence as soon as possible and other measures set out in chapter 13 should be implemented.

I will conclude with a short statement of the policy of the Majority Party which I trust will be considered and adopted by the Commonwealth Government. Our view on uranium is as follows. First, that uranium mining should proceed in the Northern Territory consistent with the highest output which Australia can market in view both of the significant economic benefits it can bring the Northern Territory and Australia and the enhanced status it could confer on Australia internation-

ally. Secondly, that the development should be managed in such a way as to ensure that a coordinated approach to mining would be followed in the Alligator Rivers area with a minimum impact on the people and the environment of the area. Thirdly, that, within these limits, development should proceed as promptly as is practicable and that further exploration programs should be continued to ensure that the resources of the Northern Territory are delineated now with a view to subsequent development on a national and international needs basis. Fourthly, that the people and the legislature of the Northern Territory, its statutory authorities and Northern Territory government institutions should be involved to a maximum degree in implementing this policy. A separate policy issue, but one to which top priority should be given, is the immediate declaration of the Kakadu National Park approximately according to the sanctuary boundaries.

Mr PERRON: The Fox Report has been represented as not giving the green light to uranium mining. Several statements made in both the first and second reports seem to give a quite clear indication that they are certainly not opposed to uranium mining and have given a guarded go-ahead. I would like to quote a couple of short phrases from the report to demonstrate my point. In the conclusion to the First Report, the commission had this to say: "The hazards of mining and milling uranium, if those activities are properly regulated and controlled, are not such as to justify a decision not to develop Australian uranium mines". In another item in that same conclusion, they state: "The hazards involved in the ordinary operation of nuclear power reactors, if those power operations are properly regulated and controlled, are not such as to justify a decision not to mine and sell Australian uranium. We do not think that the waste situation is at present such as to justify Australia wholely refusing to export uranium. In our view, the possibility of nuclear terrorism merits energetic consideration and action at an international level. We do not believe that this risk alone constitutes a sufficient reason for Australia declining to supply uranium". Lastly, they state: "We are of the view that the total renunciation of intention to supply is undesirable". The commission's report is certainly couched in semi-legalistic terms and just about everything requires some interpretation. However, the words, "We are of the view that total renunciation of intention to supply is undesirable" give me the impression that they are saying that we should mine and sell uranium. It is true that the report has recommended a whole range of stringent conditions to be adhered to should the Federal government decide to mine.

There is clear evidence in the report that the commission has recognised the gravity of the impending energy crisis in the world and Australia's moral and legal obligation to provide selected customers with a reliable supply of uranium. By the year 2000, just 23 years away, the world will be using somewhere near 3 times the energy it does today, if it is available. What if it is not available, what would happen then? For much of the world's population, it would mean starvation and freezing to death. Perhaps people think that that could never happen and perhaps they are right because we would find ourselves in the midst of a third world war before that happened. Governments just will not allow their populations to freeze to death. Take Japan as an example. It is an island nation with a masive population almost totally dependent on other countries for energy reserves and its economy hinges on heavy industry and manufacturing. What are Japan's options in an energy hungry world? She has to have reserves and she will have reserves.

We are told that oil is rapidly running out. The day of reckoning may be nearer than we all like because, well before oil reserves are completely depleted, governments will sieze remaining supplies for defence purposes. Without oil, we are left primarily with coal and uranium. Other forms of energy - solar, tidal and others will not be with us in time on the scale needed to avert a crisis. Uranium has a number of advantages which are not often considered publicly, and there are fallacies promoted which should be dis-

pelled. Modern man seems to have become hypersensitive to the environment and we must be careful not to go overboard if we are to maintain the western world's standard of living and give the under-developed nations the opportunity to catch up.

Fortunately, uranium can give us the chance to meet the energy needs of the world with a minimum of harm to the environment. I believe that, if there was a similar inquiry on the same scale as this one into the generation of electricity by coal throughout the world, it would bring down an absolute condemnation of coal as a source of energy on environmental grounds and on the ground of the cost of human lives. Uranium is the cleanest and least despoiling alternative we have available within the foreseeable future. No doubt, there will be plenty of people who disagree with me on that. Many of the people who do support uranium mining do so because they believe that we have no alternative, that we have to use it, although perhaps we should not. I would like to make a point that, even if we had considerable reserves of oil left in the world, there would still be a very good agrument for developing nuclear energy as a protection measure for the environment.

The fears held by the community of uranium mining and uranium use are largely fears of the unknown. The generation of electricity itself and the invention of the motor car were hearalded as disasters to mankind. Today, we are considered underprivileged if we do not have both. That same instinctive fear of things we do not understand is what makes uranium scary to the layman. We accept daily risks to our lives like driving, flying, petrol tankers running through city streets, which could possibly kill thousands of people. We accept these risks because we understand them and believe they are worth taking and that the chances of being killed are very small. Our society has come to use 2 main criteria to assess the merits of a development proposal: how safe it is and what it will do to the environment. When we talk about how safe it is, we mean how many people are liable to be killed because the production of all forms of energy kills people. It is a matter of seeing which one kills the fewest people and still gives significant advantages.

Before I go on to compare some of the relative merits of coal and uranium, let me dispel a commonly projected fallacy about nuclear thermal reactors. An atomic explosion in a nuclear power station is physically and utterly impossible unless someone puts an atom bomb in one. To compare electricity generation by coal or uranium, we must look at all stages of each industry from mining to the disposal of waste, not just to the power station itself. During the mining stage, generally accepted statistics show that, to produce a given amount of electricity from coal and uranium, the accidental death ratio would be 50 to 1 in favour of uranium. This is largely because of the massive amounts of coal which are required to equal the energy contained in a small amount of uranium. The impact on the environment at the mining stage is also heavily weighted in favour of uranium. The vast scars left by open-cut coal mining will be with us for ever whereas open-cut uranium mining cavities should often be small enough to be refilled.

The next stage of the operation is transportation and storage. Uranium also requires treatment and enrichment before it can be used whereas coal does not. Treatment is usually done at the mine site so only the concentrated yellow cake needs to be moved to an enrichment site, not the ore itself. A 1000 megawatt powerhouse requires about 38,000 rail cars of coal per annum to power it. I have no figures of the number of deaths involved to transport a quantity of coal like this half way across the world but, considering the railway equipment involved, the ships and handling facilities involved, including their construction, it would almost certainly be a far greater cost in lives than those who would be liable to be killed in transporting and enriching the small quantity of uranium required to produce the same amount of electricity. Treatment and enrichment plants have an excellent safety record whilst shipyards and railways do not.

The pollution produced by coal fired powerstations far exceeds the standards allowed by authorities governing nuclear power generation in the United States. In fact, the radiation alone emitted by a coal powerstation exceeds the limit set for nuclear reactors. Normal background radiation which we are all exposed to comes from outer space, in the form of gamma rays, the ground and building materials. It is interesting to note that some public buildings in the United States built of granite emit a higher level of radiation than control authorities allow in the United States for nuclear reactors. Although there have not been any detailed studies made on the health risks from coal fired powerhouses, there is evidence to suggest that, for every thousand megawatt powerhouse in the United States, between 20 and 100 deaths occur each year from chemicals and minerals which are spewed from chimneys.

Next, we get into the "what if" stage when we start talking about nuclear power reactors. Most opponents of uranium go through this "what if" fantasy stage. No matter what argument you put up, they keep saying but "what if this happened, what if that happened, and all the safety requirements failed and the worst conceivable accident occurred". Let us just briefly look at what would happen and I will jump over all the safeguards in this industry which has a truly excellent record for safety. The probability of the most serious possible accident, that of a core melt down, is calculated at something like one in twenty thousand per reactor year. When a core does melt, the reactor building is designed to contain all radioactivity. What if it did not and radioactive gases were released into the atmosphere, how many people would be killed? Probably none. The gaseous material would dissipate into the atmosphere without harming anybody. For persons in the vicinity to be harmed at all, this unlikely event of a core melt down and a puncturing of the shell of the reactor would have to occur when there was a temperature inversion which prevented radioactive gases rising and a gentle breeze carried the particles towards a populated area. It would have to be only a gentle breeze because more than that would disperse the temperature in version which held all these dangerous particles down close to the earth. Even if such an unlikely series of events did occur, it would not leave piles of dead in the streets as some would have us believe. Deaths by radiation sickness would occur days or weeks later, and deaths by cancer would come after 10 to 45 years had elapsed. Experts believe that a most probable number of fatalities in a core melt down would be less than 1, and that includes all the people working in the powerhouse itself.

Lastly, I turn to waste disposal. Again talking about a thousand megawatt powerstation, we have either 36,500 truck loads of coal ash to dispose of or 1 truck load of highly dangerous radio-active waste. The ash is used for land fill and other purposes and the the ever-increasing piles in some areas are creating a major problem. The piles of coal ash contain chemicals which are leached with rain and pollute water streams. We hear none of this from the environmentalists and the opponents of uranium mining. We hear none of the dangers that are associated with coal fired powerstations. Nuclear power generation is not attractive in spite of the waste disposal problem, it is attractive because of the waste disposal problems. Radioactive waste products are dangerous because of their concentration and it is this very concentration that makes their disposal more acceptable than turning millions of tons of chemicals into the air out of chimneys and then trying to get rid of millions of tons of coal ash.

Without going into more exotic proposals, the simplest and most satisfactory method to dispose of high level nuclear wastes is to seal the waste in glass containers which are fire proof, water proof and earthquake proof and bury them deep underground where the chance of their ever being reached by water is minimal. The salt mines now being investigated in the United States have been stable for 200 million years and are self sealing in the event of an earthquake. It would be difficult to perceive a safer disposal method. Australia itself may have similar

locations. I restate that man does not fear this danger of nuclear reactors and waste disposal because it is great, he fears it because it is new and he does not know enough about it. I am talking about the average man, not the people involved in the industry itself. We are all accustomed to thousands dying in car accidents every year, air crashes, mine disasters, fires and explosions. We are accustomed to that; we hear daily on the news of incredible numbers of deaths. However, the thought of a few hundred cubic feet or even a few thousand cubic feet of dangerous nuclear waste buried in the ground hundreds or thousands of miles away from us tends to threaten to contaminate the very food on our table. We just have to be more rational.

Australia has a handful of aces in the uranium game and how we will play them may affect world events for the next century. For those countries wanting to buy uranium, indeed having to buy uranium, the prime factor is not price but certainty and stability of supply. That is where Australia is more attractive than South Africa or South America. If we are the supplier, we will have some say, possibly even complete control, of how the waste produced from the uranium we sell should be dealt with. If we are not the supplier of energy to Europe, Japan and North America then the whole industrialised world will be most anxious to see that their source of supply is defended from any possible military threat. Whatever the world's political situation in the future, Australia's defence burden will be shared by the most powerful military establishments of the western world and our influence in international affairs will be enormously greater than it is at present.

In conclusion, the recommendations made in the second report of the inquiry into mining uranium and the recommendations about declaring the uranium province both Aboriginal land and a national park and the setting up of various bodies to administer and monitor all operations will need to be very carefully considered before those recommendations are adopted word for word. We have to ensure that it does not turn out to be a great, unworkable, bureaucratic beast which satisfies no one at all but merely delays decisions. We should not delay in developing the full tourist potential of the area or further uranium exploration to determine the extent of the uranium reserve. Geologists have expressed the view to me that there are indications that reserves which have been proved to date represent only a fraction of what is in the area. The Federal Government has to formally adopt a policy on uranium mining in the very near future and the world is watching Australia to find out what our decision will be. As far as I am concerned, there is only one answer we can give them: that we should mine our uranium and that we will mine our uranium.

Mr ROBERTSON: I think that the Cabinet Member should be congratulated and probably criticised by me because he has stolen everything I intended saying. It was a well put together speech. Like the Majority Leader, I would like to point out that, in what I am now going to say, I am not being critical of Mr Justice Fox or any of the other commissioners. They acted within their terms of reference; their job was done on instructions. However, when you examine the report - and like every other member in this chamber, I have not had the opportunity to thoroughly study it - and you condense what is in the report, you will find that there is very little in that report that you did not already know.

The report has been 2 years in the making and, as I have previously said elsewhere, I believe the report merely restates all the information that was available to us. We have known and do know that the uranium province is located in an area of quite significant natural and ecological value. We have known for some years the risks attached to the mining of uranium and the mining of other materials. We have known for years the hazards associated with uranium by virtue of its very nature. We have been acutely aware of the problems associated with the disposal of waste. The United States Government and President Carter have been stating for quite some time, without the benefit of this report, all the concerns reflected in the report.

We have also been acutely aware of our responsibility internationally in the provision of energy in an energy starved world. One of the most significant things we must bear in mind when we are deciding whether or not to mine uranium is the fact that we do not hold a first mortgage or a substantial mortgage on the world's known reserves of uranium. Indeed, we only hold something like 25% of the world's reserves. The Prime Minister stated it very succinctly when he said that it is far better for countries who require this particular energy source to deal with a country which holds a sense of responsibility. We may be well and truly assured that, if we do not supply uranium to countries that require that resource, then it really will not make any difference to the amount of uranium actually consumed throughout the world. What it is going to mean is that these countries that require it - and require it they do and obtain it they will - will look to areas less stable politically than our own. They will look at some of the republics in West Africa or South America who will sell it regardless of constraints, regardless of terms and conditions and controls. How much more sensible and how much more benefit will it be to the world and to mankind if they deal with this country which is known internationally to be responsible. I think that is the essence. They are going to obtain it; let them obtain it from us subject to the conditions which we are able to impose upon them.

The Cabinet Member for Education and Planning covered very thoroughly the difference between the safety factors in using uranium as a resource and power source as opposed to, say, coal. An interesting study was done by the head geologist of Geopeko quite some time ago before the advent of this report and the thrust of his arguments is almost identical with what we now find in the Second Report of the Ranger Uranium Environment Inquiry. He stated quite accurately that the storage of all the world's waste in uranium would occupy but a few hectares if it was left on the surface; the waste involved in coal would occupy tens of thousands of hectares. You have difficulty in the disposal of any waste regardless of what it is. Look at the difficulties that every municipality has in disposing of the waste material from day to day living. It is something we must be very conscious of but something which we should not fear. The basic criterion for the disposal of the uranium waste is stable geological areas. It is an area where research will continue, just as research will continue into the entire question of uranium mining.

I noticed, in an excellent article in the Adelaide Advertiser a couple of weeks ago, an explanation of a new form of uranium mining suitable to the deposit found at Lake Frome in South Australia. It is known as solution mining and it involves the pumping of a special solution underground into the ore body and then the solution with the dissolved uranium ore in it is fed through separators and the cycle is then repeated. All of the undesirable elements are left underground; there is no open cut. The Department of Mines in South Australia and the Professor of Economic Mining Studies at the Adelaide University stated that there is less pollution risk attached to solution mining than there is in the making of cheese. That did not come from a miner or from the head of a mining company, but from a professor at the Adelaide University whose job was not to promote mining but to find safe methods of doing it. I am not suggesting necessarily that the technique of solution mining would be applicable to our own uranium province because I believe it would not. However, we have recently had a report in the Centralian Advocate of a further find of ore in the Barrow Creek region and it is quite possible that that particular technique could be suitable for mining any future deposits that may be discovered in the Northern Territory. The whole question of the mining, exporting and processing of uranium is one that we should look forward to with confidence in the knowledge that technology is improving all the time and that, while we may forsee some difficulties now, I am absolutely confident that they will be overcome as time goes by.

Mr RYAN: I support the previous members. I certainly would like to con-

gratulate the Member for Education and Planning; he obviously burnt the midnight oil in preparing that speech. I think he probably stole the thunder from several other members. He has covered some of my points but I still have enough to make a reasonable contribution.

I read most of the report and I wonder whether it was really necessary. The cost was around $1m which is pretty insignificant when compared with the cost to the uranium miners in delay. I believe the costs for the larger operations of Ranger and Pancontinental would be in the vicinity of $300m and the original project cost to start up Ranger was somewhere in the vicinity of $50m and is now in excess of $200m. Pancontinental is an operation of similar size and they would have approximately the same cost structure. Thus, the delay caused by the inquiry has been about $300m. The report contains a lot of useful information; certainly a lot of work has gone into getting the information tabulated, but at a cost of $300m because it appears that uranium mining can go ahead, I certainly feel that the Government will use that approach. Obviously, the miners themselves are quite keen to get on with the job and start the production of uranium which is still several years off.

There has been a suggestion in the report that Ranger be started in a sequence, then Pancontinental and possibly the other 2. My approach would be that they should be given the opportunity to all start together. The question was raised of the impact on Darwin and whether Darwin could withstand the impact of the huge development which would take place if all companies were given the go-ahead at the same time. I do not believe that the impact on Darwin would be any greater than the impact on Darwin that occurred on Christmas Day a couple of years ago. We could manage to support the development. If one likes to go back a couple of years to the early 1970s, we can see the development that was taking place around the Northern Territory at Gove, at Mt Bundy and Frances Creek. We had oil exploration out in the Gulf, we had the freeport Indonesian mine being built in West Irian. All these companies were using Darwin as their centre of operation. I certainly would look forward to a return to those days when we had something to look forward to in Darwin.

At present, very little is taking place in the Northern Territory. Development has come to a standstill. I do not know about other members of the Assembly and other residents of the Northern Territory, but I am most concerned that, unless some development takes place in the Northern Territory in the near future, the Northern Territory could find itself on a downhill run. I cannot possibly see any government continuing to support the Northern Territory ad infinitum. I like to compare it with a company which may have a branch in a part of the country that is not making any money and does not want to pull out because somebody else may get in there. I think that is the situation with the Northern Territory. The Government has put money into the Territory and it is continuing to do so, but for how long? Something has to start coming out of the Territory soon and I see the development of the uranium fields as the answer to that problem. I do not know what the people who protest against uranium mining expect will happen in the Northern Territory if this development does not take place.

I agree wholeheartedly with the previous speakers about the environment issue. Far too much emphasis had been placed on the environmental impact of uranium yet the other products which are used around the world in many things - fuels, detergents - are ignored. People recognise that these cause problems but we have to have a million dollar inquiry into the environmental impact of uranium. Of course, the area where they intend to mine the uranium is a unique area and I do not think that anybody will deny that, but the companies themselves are concerned with the environment. It has been brought to their attention that they must take care of the environment when they mine the area. We have a large area in the Northern Territory and the area that will be under mining is pretty insignificant. If you refer

to the photo on page 12 of the report, a photo over which an artist has drawn the mine operation, I feel quite sure that some of the environmentalists would be terrified by that particular photograph. That area is infinitesimal compared with the rest of the area of the Northern Territory. I am quite sure that the mining people appreciate the fact that they have to develop these sites and make certain that the environmental impact does not extend into the area any more than is necessary.

I would just like to refer to the shortage of fuels in the world. The environmentalists keep throwing up the fact that the use of uranium as a fuel is dangerous. We all agree that, in the use of atomic weapons, it is definitely dangerous. However, I often wonder what sort of reaction the environmentalists in Australia would get if they stood up somewhere in North West Africa on a street corner and spoke about the problems of uranium and nuclear power, where millions of people are dying daily from starvation and disease. I wonder if they would be prepared to get up and say, "We think that you are better off dying of starvation and disease rather than putting in a powerhouse which may help to feed you or help to cure your disease." This could possibly endanger 1 or 2 lives. It is ludricrous to suggest that the people in these under-developed countries would have any time for that sort of philosophy. Whilst these people expound theories that they are unselfish in their attitude, I consider them to be completely selfish in their attitude. They have no time whatsoever for the mankind they are supposedly trying to help.

To get into main areas of my responsibility, we have tourism. The report does discuss the development of tourism in the area. It is not in favour of tourism particularly, but I believe we have to develop the area concerned as a tourist attraction because it is a unique part of Australia. I think it can be done, as the Majority Leader said, with good management. We do it in other parts of Australia and it is done in other parts of the world. Where you have a unique area, under the proper management, it can be made accessible to tourists and, since tourism is one of our major industries in the Northern Territory, we should develop the area as a place for people to look at the unique wildlife and country that we have in the Northern Territory.

I also hope that, as a result of the mining of uranium, we may be able to convince the Government at last that our port needs upgrading. Port development has been discussed for many years. It was in the late nineteenth century that the present suggestion was made, although the cost was rather less, something in the vicinity of 2,000 pounds whereas now we are talking $10m. The yellow cake will not be in great quantities whereas we will have sulphur, lime and, in the early stages, construction material coming into Darwin. It is imperative that we look at developing the port so that the unloading of this material can be done at a minimal cost.

In conclusion, I would only like to repeat my main concern. I support mining; I have done so all along. There has been a terrible delay that has cost a lot of money and, without development, I certainly feel the Territory is looking down the gun barrel. I cannot see any way out for the Territory as far as development is concerned unless we develop the uranium areas and use those resources to finance the Territory and Australia.

Mr WITHNALL: I must confess that my consideration of the Fox Report has not been complete and, indeed, I probably could only describe it as fairly minimal. I endeavoured to obtain a copy of the report after it was released but, although apparently it was on sale in Sydney and in other capital cities, it was not on sale in Darwin nor, so far as I can understand, was any copy made available to the Legislative Assembly either in the library or anywhere else. Certainly no copy was made available to me and certainly attempts to purchase a copy in Darwin were unavailing. This probably arises from the fact that the distributing agency in the Northern Territory was the Department of Aboriginal Affairs who, I am informed, al-

though I have no direct evidence, are directly opposed to the Northern Territory's interference in Aboriginal affairs. I think "interference" is the word which has been used. I have been able to get a copy of the report from the library and I think that was made available only by the persistent efforts of the Majority Leader but I have not had a great deal of time to study the contents of that single copy which is available here in this Assembly. Therefore, if I have missed some significant statements in the report, I apologise in advance.

However, I do want to make a number of statements about the report and also about the recommendations that the report makes. First, from my understanding of the way in which the inquiry proceeded, I think that the nature of the evidence relating to some of the claims made before the commission was such that it must inevitably be suspect. Perhaps I should preface my remarks by saying that I do not quite understand why the Commonwealth Government chose to make Mr Justice Fox and his commission authorities under the Aboriginal Land Act. This was a fundamental mistake because it renders the task of the Aboriginal Land Commissioner, who ought to have been left to pursue his own course with respect to these matters, somewhat compromised. He finds himself saddled with respect to only this little particular piece of land with a certain number of principles which he may not accept. We will have the Fox Commission saying that this is the sort of evidence they will accept and Mr Justice Toohey, the Land Commissioner, disagreeing with that and he will have to disagree with it in public. He may agree to it, but I think it is most unfortunate that he is compromised to the extent that Mr Justice Fox and his commission have already determined certain principles which he must publicly condemn, if he is to do his job independently and if he does not agree with the principles that have been accepted by Mr Justice Fox.

There is one very important principle that Mr Justice Fox proposed: where the traditional owners of land have died out, vanished or relinquished their land, the people adjacent to that land are entitled to take it over and claim that as traditional land. That is a very serious extension of the principles, as I understood them, in the Aboriginal Lands Act. Mr Justice Fox has said this is an acceptable principle but upon what evidence did he accept this principle? It was not upon the evidence of the people themselves if in fact there is evidence in the massive transcript because I have not had it made available to me. As I understand the situation, it was not upon evidence of the Aboriginal people themselves but upon evidence of some anthropologists who talked to the Aboriginal people and then reported to the commission what they had heard and what they understood about what they had heard. The Majority Leader has already criticised this before the Fox Commission itself and I thoroughly support him, I think the view that he put then was an accurate one. In the long run, the Land Commissioner, who will look at many other claims, must really understand that secondhand interretation of what Aboriginal people say is surely not enough, particularly when the interpretations are presented by anthropologists who are paid to present the evidence. They are paid by the Commonwealth through the land councils or through other Aboriginal organisations.

I come to deal generally with the question as to whether or not uranium ought to be mined in the Northern Territory and I am afraid the only answer I can give is an unequivocal yes. It seems to me that to deny the mining and export of uranium from the Northern Territory will have absolutely no effect on the uranium market overseas. If there is a market for uranium, it will be supplied. Australia can supply it at a cheaper rate because of the better grade deposits which are available in the Northern Territory but, even if we said to the rest of the world that we would not mine it, there would be no difference at all in the world's stockpiles of uranium. They would get them just the same and they would be of just the same danger, if there is a danger, to the communities.

Apart from that, there is the question which has been flogged by a number

of conservationists, and rightly flogged indeed, that mining of uranium itself may result in some hazards. I have had a long acquaintance with the mining of uranium which goes back to the time when Freddy Drysdale and I looked at the Finniss River when Rum Jungle was operating. The Finniss River, of course, was quite dead. You could not find life on the banks, in the water or anywhere. This was entirely due to the discharge into the Finniss River of high concentrations of copper compounds, principally I think copper sulphate. When questions were asked in the Legislative Council about the hazards of uranium mining, the answer was that they had monitored all the streams and there was no evidence at all of any deterioration in the streams or in the country due to uranium mining. It was a false answer. It was given by a fellow named Timms whom I knew at that time quite well and it was given quite certainly with tongue in cheek because, at that stage, they knew damn well that the mining of uranium, involving the release of copper sulphate, had in fact killed off the whole of the Finniss River. There are dangers in mining and there are dangers in mining uranium and one must accept that certain safeguards must be required. I had a look at the proposals in relation to Jabiru and Jabiluka and I am satisfied that those proposals will probably result in the mining being carried out perfectly safely and waste being contained and released in a perfectly satisfactory manner.

The Fox Commission has gone into the matter with a great more detail and upon more evidence than I have been able to amass or read and I am not qualified to disagree with the provisions that they make in their report at page 335 and thereafter which set out their principal recommendations for containing of pollution. I do, however, criticise the recommendation which has been made upon 2 bases. First, there are no recommendations really so far as mining of uranium is concerned but perhaps this is understandable if the commission itself thought that was not a decision which it was qualified to make from its terms of reference. The commission did give some indication of the way in which it was thinking and I have no doubt that the Commonwealth Government will accept the indications which are contained in these recommendations but there are a number of recommendations in this report with which I regret I cannot agree.

One is the recommendation referred to by the honourable Majority Leader and other members that the areas presently covered by the leases of Mudginbarry and Munmarlary should be acquired and created into Aboriginal land and then leased back to the Commonwealth of Australia as a national park. I find this quite an incomprehensible recommendation. If you create a piece of land to be Aboriginal land, you do it for the reason that it has significance to a certain number of Aboriginals and you grant it because that significance ought not to be disturbed by alien title. If that is the case, then the creation of Mudginbarry and Munmarlary pastoral leases as Aboriginal land must surely mean that it will be reserved for the Aboriginal people, If one examines the concept as a whole, one can only say that the only reason one can see for creating an Aboriginal land and then leasing it back would be that there might be a lease fee involved. To say that land is traditional land, that traditional owners must exercise authority over it and then lease it back is like selling your mother in the market, is it not? If land is sacred land and it has significance to Aboriginal people, it must therefore be given to them. How can it possibly be leased back? It seems to me that the report proceeds upon a basis that the largest area of land ought to be acquired for national parks and it proceeds on the basis that the largest area of land within that national park should be subject to Aboriginal control and authority. Like the honourable member the Majority Leader, I do not object in the slightest to Aboriginal people being trained and having authority within a national park in that area. Because they know the land so much better and because their traditional understanding of the land would help in the conservation of the land, the use of Aboriginal people as rangers and administrators of the area would be very valuable. However, I do not agree, and I

will not, that to create Aboriginal land and then provide for it to be leased back to the Commonwealth is anything more than a slightly mad idea, I think that the report in this respect has not taken into account all the results of the recommendations which have been made and the total effect that it might have when it is put into force.

Dr Letts: Chaos.

Mr WITHNALL: I do not really have the fullest acquaintance with this very voluminous report which requires about 3 indexes really if one is to understand it because the references back from chapter to chapter from page to page and into the appendices are so voluminous that it would take many hours, perhaps weeks, before one could understand exactly what the recommendations are and exactly what the effect of the report is.

One of the problems is that one has a beautifully illustrated report but one does not have the evidence. Of course, it would take another 6 months to read the evidence and, to integrate the evidence into that report, would be a task that I for one would not be game to embark upon. As the Majority Leader has said, there is a danger that somewhere somebody will say this is a second bible for the Northern Territory. As with the Woodward Report, there is a danger that these words are going to be taken and applied with various interpretations in the same way that people apply the bible. In these days, these words will achieve a significance that even the commission itself probably would never have given them. I plead with the Commonwealth Government to say that they have received a report but also to give a detailed statement of the policy which they propose to follow in the future. It is simply no good saying, "We are going to mine uranium and there is the report". The problems that will arise from the existence of that report without a completely definitive statement of policy by the Commonwealth Government will be very large indeed. I would hope that the Commonwealth Government recognises from its experience with the Woodward Report just exactly how difficult it will be to contain people who claim that certain things contained in this report justify actions that they propose to take.

I do not claim a great knowledge of the report. The only place in Australia where it was very difficult to get a copy was the only place which was affected, the Northern Territory. I think that is shocking and, if we can find somebody to be kicked, we should do so, even going to the extent of finding somebody whose soul could be damned for it.

Mrs LAWRIE: In rising to speak on the second report, I would like to first of all thank the honourable Majority Leader for giving a definite statement of Country-Liberal Party policy. I echo the words of the member for Port Darwin when he said that he expects a statement of Federal Government policy to be forthcoming. To be definitive such a statement would have to be lengthy and would probably in itself occupy a great part of the continuing debate in this Assembly. I accept the overriding responsibility of the Federal Government to make decisions regarding the mining of uranium in the Northern Territory because, as I have said before in this House, I believe that the mineral potential of Australia is rightly the problem of the Australian Government, having regard to local feeling and issues. It is of overriding importance that the needs and aspirations of the country take precedence over state and territory boundaries which were arbitrarily drawn years ago. Therefore, in acknowledging the worth of the input of the Majority Leader, I feel that it is necessary for this Assembly to debate at some future stage what will be the policy of the Australian Government whichever one it may be that will issue such a policy.

Like the Majority Leader, I have had trouble in preparing a cohesive statement on this report because one has to jump back from chapter to chapter, from page to page, from reference to reference. I heard a fair amount of the evidence being taken before the Fox Commission and I received transcripts. However, it would have been impossible for me to have read the transcripts and evaluated them all as well as contin-

uing with my normal responsibilities to my electorate and towards the Territory. Having therefore perhaps excused the shortcomings of this debate, may I refer to some sections of the report and, of necessity, it will be disjointed.

On page 223 of the second report, statements were made about the size of a town to serve as the uranium province if the go-ahead is given to mine uranium in the Northern Territory in the area under discussion. I quote from page 223: "One of the consequences of the proposed mining will be the arrival in an undeveloped region, which has high national park values, of a relatively large resident population which will outnumber the Aboriginals at present living there. These new arrivals will have to be accommodated in a town or towns within a reasonable distance of the mine or mines. In the interests of the environment and, in particular of the Aboriginal people, it is important that these numbers be kept to a strict minimum necessary to allow mining to proceed at the approved rate." If we turn to the actual conclusions elsewhere in the report, we find this reiterated. On page 308, where they are talking of specific safeguards, they reiterate that one of the greatest hazards to a disturbance of the environment in the proposed area is the disturbance created by people moving into that area, quite legitimately if the mining is given the go-ahead. It almost seems that they feel that this will create the greatest disturbance, greater than the actual physical mining.

It is fair to say that environmentalists, who have been in receipt of some criticism within this chamber and without, have also said at certain times officially to the commissioner that one of the reasons for their fear of disturbance to the environment is the intrusion of people and their necessary disturbance. The Fox Commission recognises this and lays down certain guidelines which it hopes will minimise the overall effect. One is that the basic size of the town be kept to a minimum. They then go on to say that transit accommodation, tourist accommodation, should not be permitted within the mining town area. I feel that any town established in such an area should not be like Nhulunbuy, simply a mining town but should be an open town. Having regard to the fears expressed legitimately by quite a substantial number of people right around Australia and having regard to the findings of the Fox Report, may I say that I appreciate and support their concern that the number of people necessary to serve any such mining operation be kept to a minimum. Nevertheless, how a town can be established within the boundaries of a national park, which is of tremendous tourist potential, and still not have tourist accommodation is as unclear to me as it is to the Majority Leader. I do not think that we are in opposition at all on this point.

I have had many discussions with the Majority Leader in regard to Kakadu National Park and the overall conservation and protection of the environment within the Northern Territory and the honourable member for Port Darwin in previous debates in this place and in the old Legislative Council has spoken time and time again of the need for adequate protection against predatory human beings who act thoughtlessly. However, within the report, there are certain conflicts in the recommendations by Mr Justice Fox which have left me somewhat dismayed. It proposes the establishment of a town within a national park to service the mining area, supposedly with control, yet no clear statement is given as to how all these conflicting issues can be resolved.

One of the major recommendations of the second report is that Kakadu National Park be proclaimed, established and, by inference, managed by a plan of management. Under the present Government's policy, the people of the Northern Territory will be closely involved in the management of such a park. It is therefore relevant to agree with those sections of the report which state that the people of the Northern Territory shall have a large say in the management of any mining in the area environmentally, commercially and in other ways.

On page 308, we see reference to environmental controls in paragraph 11: "What is important is to secure strong environmental controls by or under the lease, or the agreement made under section 43(2) of the Land Rights Act or the general law. It is vital that they be prescribed and enforceable." I do not think there is one person in the Assembly who would legitimately quarrel with that recommendation, given that mining is to proceed, that there must be the most stringent controls to ensure that the disturbance to the environment will be minimised. It is totally unrealistic to say that there will not be any disturbance because there is constant disturbance to the environment by man. What we have to do, as rational people with a reasonable understanding of the world's diminishing resources and diminishing natural habitat, is to ensure that such disturbances are kept to a minimum. If we can do that and if we can with safe consciences sleep at night, we will have discharged our obligations both to the people of the Territory and to the people of Australia.

If I may again quote from paragraph 11 on page 308: "We refer in this report from time to time to a supervising authority, which will prescribe or monitor standards, or do both those things. We use this as a generic term to encompass all relevant authorities. We have given consideration to recommending the establishment of an independent regional authority with a strong supervisory role, but, not without some doubt, we have finally concluded that it is best if appropriate governmental authorities, federal and territorial, be used." They then go on to state the reasons for their reservations in making this recommendation which relates to Nhulunbuy. I am sure the honourable member for Nhulunbuy will be interested to see the conclusions they draw from the evidence given to them, relating to the control or lack of control regarding these plants operated by Nabalco.

As the honourable Majority Leader has said, they make specific recommendations for the establishment of a standard and monitoring coordinating committee - a dreadful phrase almost as bad as an interdepartmental coordinating committee of which we see many. They refer time and time again throughout this report to the appointment of a supervising scientist to be appointed under Federal Government control. Unlike the Majority Leader, I do not find myself very upset about the supervising scientist being appointed by the Federal Government to one of their departments give that I recognise the right of the Australian Government to have a vital interest in this matter.

Paragraph 12 of the same part has not yet been referred to. However, it is of vital interest to the people of the Northern Territory: "It is our expectation, and part of our purpose, that the parks authority and the Northern Land Council, having the interest to do so, will reinforce the environment protection machinery. It is important that they have readily available to them the information which will enable them to do this task, and we recommend that it be made mandatory, preferably by regulation, for Ranger (and other mining companies), and their contractors to answer promptly any requests for relevant information respecting themselves and their operations, made by either the Director or the Northern Land Council. Both the Director and the Northern Land Council should have appropriate rights of inspection. If necessary, the exercise of this right in both cases could be restricted to approved representatives. Further, the environment protection provisions should be made legally enforceable, and both the Director and the Northern Land Council given standing to enforce them. Both should be given the right to proceed by way of injunction to restrain any action which might reasonably be expected to do substantial damage to the environment in its social as well as its physical aspects, and to compel action which might reasonably be expected to avoid such damage. The Supreme Court should be given a wide discretion as to the exercise of its jurisdiction in such cases. The necessary provisions can be made by special ordinance or by way of amendment to existing ordinances." I find that particular paragraph worthy of great attention but, because of the short

time which has elapsed since the presentation to the authorities of this report and its subsequent receipt in this Assembly, I have not had time to bring paragraph 12 to the attention of the Majority Leader. In his address in reply, I would very much appreciate an outline of his party's policy on paragraph 12. It is one of the most significant paragraphs in the entire report.

Throughout the report, Mr Justice Fox and his fellow commissioners have mentioned the rights of tribal Aborigines with a proven interest in the land to certain safeguards. Also they have mentioned the likelihood of adverse conditions, including the financial gain which could accrue to the same Aboriginal people. Here, in a specific recommendation, we see that Mr Justice Fox is recommending a very wide-ranging right to be given to accredited Aboriginals to oversee the mining operation. I very much doubt whether many members have picked up paragraph 12 because I have not heard mention of it today. As in so much of the report, the contents and the practicalities are 2 different things. The honourable member for Stuart Park gave a well-researched speech which I thought was heavily weighted in favour of the nuclear industry and which tended to disregard some of the drawbacks. I am fearful of people who adopt either extreme position that the end of the world is at hand or that there are no possible dangers. I regard both views as having an element of absurdity. Rational people surely would agree that there are elements of danger in the mining, processing and use of nuclear energy as there are of other energy sources.

The honourable member for Stuart Park, spoke of open-cut mining and the scarring which has been the result of the open-cut mining of coal. Indeed, in the United States, whole states have been laid to waste by the lack of environmental controls. The honourable member went on to say that open-cut mining in the nuclear industry in the Northern Territory would be minimal compared to that, and so it would. His argument would have been stronger had he referred to the necessary disturbance caused by the very high bund walls for the tailings dams. It is necessary in evaluating these reports to acknowledge disturbance, to discuss it freely, rationally and then, accepting that there will be disturbance, to decide upon the best safeguards possible to minimise it.

The second report recommends sequential development if any development is to take place of the uranium provinces in the Northern Territory. In speaking of the disturbance to the national parks and the associated environment, it again reiterates that the number of people in the towns propose a hazard. The report states definitively that, if Ranger goes ahead without Jabiluka, disturbance can be minimised. If Jabiluka is to go ahead also, they fear the disturbance which will be created. In my view, if other mining interests in that area are to go ahead, special reports, not of this scale certainly, but certain special reports and safeguards must be undertaken on each individual mining project. It is not good enough for Pancontinental or the other interests to say that, because of the Ranger report, they are to be given carte blanche. They are very different, in different areas and have different problems. I think that the Fox Report has made that quite clear. Unfortunately, this has not come out so far in the debate.

There was a necessity for this inquiry even though some members think it was a waste of time. This is of great importance; it caused a controversy within the community and that in itself is healthy. The report is considered but it is set out in such a fashion as to make it virtually incomprehensible to people who have not been following the debate from the beginning. I think there are 2 members of this House who gave evidence - I am one and the Majority Leader is the other. It has been almost impossible to keep up with all of the evidence presented.

On page 294 of the report, there are specific recommendations as to standards. They say that, if mining is to proceed, standards and procedures will have to be set for contaminates in water from the mine sites and they include a whole list of things. It also includes conditions for release from

retention pond No. 2, sewage from the mine site, sewage from the regional town, procedures to limit suspended solids in run-off, sulphur dioxide, external ionising radiation, radon and ore dust, yellow cake dust and other things. It was worthwhile, if for no other reason, to have had this inquiry to state that the people of Australia expect certain standards to be set in these areas. I do not think the inquiry was a waste of the taxpayers' money because of the complexity of uranium mining, because this is 1977, not 1957, and we will not accept another Finniss River. Because it has given the public of Australia the right to present their evidence and to cross-examine. I will not accept an argument that the whole inquiry was not warranted. I have read as much as I can of the second report and the first report and I think they have come up with some very worthwhile conclusions, particularly the recommendation relating to standards. They have also posed some questions to which they have given no answers such as the conflict between people and national parks, people and management, wilderness areas, the rights of the Aboriginal people vis a vis tourists and the townpeople living in the area, like people in Nhulunbuy, will feel that, unless they have the right to go into the surrounding country, they will be unfairly isolated. I support the Fox Commission where it seems to be saying that the greatest potential threat to the area comes not from the mining but from the people. There must be safeguards as to how they will be allowed to traverse the area and use it.

Debate adjourned.

MINING BILL

(Serial 186)

Continued from 3 March 1977.

Mr TUXWORTH: I rise to speak in support of this bill because it introduces a concept into the field of mining title that has not been known in the Northern Territory before. It is a concept which is becoming an accepted practice in mining title in other parts of Australia and one that the Northern Territory will do well to develop. For some time now, the Mines Branch has been working on a revamp of the existing Mining Ordinance which was brought in in the 1930s and taken from the 1880 Western Australian mining legislation. The existing legislation has many shortcomings in it, one of which is related to the ordinance's incapacity to cater for the enormous projects that are being designed and built by mining companies throughout the Northern Territory. In 1966, it was quite possible in the Northern Territory to build a profitable mine for between $2m and $10m. In the late 1960s, we saw the development of the Nabalco operation which cost between $300m and $400m but, in the 1970s through to the 1980s, we will see the establishment of mining operations that cost no less than $300m to $400m to build and the MacArthur River complex, which will take up to 10 years to plan and design, will probably cost anything up to $600m.

The problem with title at the moment is that, after the expiry of the existing exploration licence, the person who holds the exploration licence moves on to take up a special mineral lease and, by virtue of this lease, he is entitled to mine. The proposed amendment is trying to cater for the period between the evaluation of a project and the development of the project where the mining company needs title to the land that it has explored and intends to develop to provide security for money lenders and financiers. There are situations in the Northern Territory, because of environmental programs and because of Aboriginal land claims, where it is not possible for the Government to grant a mining lease. It is important that both sides of the contract be honoured. It is important that the Government honour its contract and give the mining company a right to mine after the development of the exploration licence and it is also important that the company respect the issues of the day relating to such things as environment, Aboriginal lands and the infrastructure that needs to be provided. All this must be done in concert with government and not at a tangent as we have seen in the past.

The proposal of the development lease has fallen a little short of the mark

in that it will give title to people who have explored their exploration licence but does not give them the right to mine. This is critical for the proposal to be in any way acceptable to the mining industry as a form of secure tenure that they can wave in front of their money-lenders and financiers.

I would like to propose to the Cabinet Member for Resources that, when we go into committee stages with this bill, there should be an amendment that allows the entitlement of mining to go with the proposed development of lease. That entitlement may not necessarily be taken up in the initial stages but it can be negotiated with government when all other matters have been resolved. This is an innovation in relation to mining title and tenure and I believe it is one of which the Northern Territory can be proud. It is an innovation that will fit neatly into the new mining legislation that is being organised. I commend the bill to honourable members.

Mr WITHNALL: When the Mining Ordinance was amended to take out the old prospecting authorities and to create the new right of the exploration licence, much was said about the necessity of controlling exploration and not permitting large companies or persons with large resources to hold land under some exploration authority for long periods of time. Consequently, when the exploration licence concept was introduced into the Mining Ordinance, a limitation was placed upon the holding of an exploration licence which required the shedding of half of the area annually after the grant.

This has had fairly unfortunate consequences and the most unfortunate consequence has been the decision made by the Commonwealth Government about the middle of 1974 that, where land might be subject to a claim by Aboriginal people, the grant of a title or an exploration licence over the area should be deferred. There are quite a number of persons who had prospecting authorities over land in the Northern Territory whose right to that land ran out because of the deferring of the right to make a claim for any sort of permanent title to the land. Although most of these people had at that date applied for an exploration licence, the application is still current and the grant still has not been determined.

This bill seems to make no concession at all to those people who had a bona fide right to an exploration licence at the time when the freeze on mining titles commenced but, because of the freeze, their applications have not been refused but have just been deferred. Under this bill, those people find themselves faced with having no right at all to a mining development lease because it can only be granted to a person who holds an exploration licence - or who holds a 147B authority which is a rare animal and does not relate to the people that I am talking about - or who has applied for the grant of a special mineral lease or the registration of a mineral claim and who at the time was the holder of an exploration licence. These people, whose rights have been deferred because of the possibility that the land might be declared to be Aboriginal land, still had applications for exploration licences which have been deferred for years. They are completely ignored in the terms of this bill.

I urge the honourable member to make some careful consideration - there are not many involved; I think there might be 5 or 6 in the Northern Territory - so that the terms of the proposed section 102A could include those people who have applied for an exploration licence and whose application has been deferred. The honourable member may say that that application may be dealt with at a later stage and, consequently, if they do get an exploration licence, they then may apply under section 102A. If the honourable member can give me that assurance, I would be very glad. Unfortunately, over the years that have passed since these claims have been frozen, the people concerned have grown well tired of waiting. I suggest to the honourable member that it may well be desirable to amend proposed section 102A to include these cases.

Debate adjourned.

DRUGS BILLS

POISONS BILL

(Serial 178)

DANGEROUS DRUGS BILL

(Serial 188)

PROHIBITED DRUGS BILL

(Serial 189)

Continued from 14 June 1977.

Mr TUXWORTH: I would like to thank honourable members for their comments and support, in some cases, for the proposalw in the proposed legislation. Briefly, it would be fair to say that, during the debate, all members gave support to the new bills in one form or another, giving cognizance to the very difficult drug scene which is emerging in Australian society today. The reason that the Majority Party has acted on the bills is not one of emergency or desperation. The rewriting of these bills has been a continuing process that was in train in 1974-75 and it is one that will continue for at least another 2 to 3 years as the bill that we are about to deal with are taken through another stage and placed in one document. It is a slow, difficult job and one that should take time because, the more time it takes, the less likelihood there is of introducing unreasonable legislation.

Most supporters of the bill have agreed that it was necessary for the Northern Territory to be a party to the ratification of the United Nations Convention on the Abuse of Drugs and Hallucinogens. We believe that is a convention which we should support. Just about every country in the world today is a party to that convention and no one has suggested a good reason why the Northern Territory should not be a party to it. It is also necessary for the Northern Territory's legislation to be in concert with that of the states. If our legislation, our attitudes and our penalties are less than those applying in the states, we can be absolutely certain that the Northern Territory will become a haven for drugs, the abuse of drugs, the peddling of drugs etc. It is not the intention of any party in the Assembly to see this happen here.

During my second-reading speech, I indicated that I would be holding discussions with any people who are interested in discussing the contents of the bills and I already indicated that, as a result of the proposals by the Law Society in their submission, there would be further amendment to the bills. Since that second-reading speech, I have been in contact with community groups, individuals and political parties.

Mr Ryan: And some of the others.

Mr TUXWORTH: And some of the others. I feel that a lot of the input that has come from these people has been constructive and well worth the effort both on their part and on mine for listening. I learnt a lot from them.

I have one disappointment in that the Labor Party, which is ever mindful of the fact that it has no representation in this House, failed to come forward with anything constructive and kept its remarks to a bashing enterprise. However, I would like to comment that the Chairman of the Progress Party has contacted me and put forward an attitude towards drugs which is the very simple one of putting them up on the shelf with cigarettes and liquor and selling them as a normal commodity because the operation of drug pushers is that of another business man and should be treated on a free market scale. I would like to read from the submission that I received from Mr Day and members may find it interesting:

I find that your statement that the legislation that you are introducing is in line with the United Nations charter to be most disturbing. The United Nations was set up as a federation of peace-loving nations devoted to the prevention of future wars. Whilst its creation did capture the imagination and idealism of many people, its history has been a tragic disaster. It has not brought real peace anywhere and it has been unwilling or unable to prevent numerous

cases of brutal aggression and international terrorism, witness Idi Amin and Yassar Arafat.

It welcomes as members, on the same vote as us, numerous aggressive totalitarian states. Its recent decisions and actions show clearly that it is devoted to setting up a new economic order based on socialist principles and presided over by a new super bureaucracy whose aim is to plan and control the world.

It would be difficult for any country which values freedom and justice to support the activities of the United Nations and I therefore find it incredible that the CLP supports the United Nations.

There are many things that have come out of the United Nations, some have been disappointing and some have been admirable and I believe that the activities of the United Nations World Health Organisation has been one of its more admirable achievements. I think that it should be recorded that such a party has such an attitude towards the United Nations and the charter that it represents.

We have considered the need to ratify the United Nations Convention and we have also considered that there is a drug abuse problem in the Northern Territory, particularly with hard drugs, that is to be deplored. We also concede that, if this peddling of hard drugs is to be combated, stiff measures must be introduced because it is a situation of fighting fire with fire.

We have been accused of putting soft drugs with hard drugs and I am not prepared to accept that because I believe that, in the bills, we have separated soft drugs and given them lesser penalties than hard drugs. Perhaps the penalties are not enough but that is a matter for objective consideration. Medical evidence and the attitude of the United Nations Charter indicate that soft drugs have no medicinal value and have no therapeutic value and should be discouraged. I might add that the World Health Organisation's policy is related to a decision taken in 1971 by the World Health Organisation Committee on Narcotics when it included cannabis in its schedule together with morphine, pethadine, cocaine, LSD and amphetamines. It also determined that cannabis was not medically useful and that it was a form of drug abuse and, for that reason, it has been included in the charter.

The honourable member for Port Darwin expressed his displeasure at the technical descriptions in the bill and the fact that they did not mean anything to him. I would just like to reiterate that the honourable member has the same research facilities available to him that I have. However, I have asked the department to prepare a list of the drugs concerned, their pharmaceutical name, their common name and a short comment on what each drug does and what effect it has on the human body. Mr Speaker, I seek leave to have this document included in Hansard.

Leave granted.

DANGEROUS DRUGS

PHARMACEUTICAL NAME	COMMONLY KNOWN AS	COMMENT
AMPHETAMINE *DEXAMPHETAMINE* *METHAMPHETAMINE* *METHYLPHENIDATE*	*"Speed"*	*A central nervous system stimulant. May lead to physical dependence.*
PHENCYCLIDINE		*An analgesic. May produce serious psychological disturbance.*
PHENMETRAZINE		*An appetite suppressant. Excessive use leads to physical dependence.*
AMOBARBITAL *CYCLOBARBITAL* *PENTOBARBITAL* *SECOBARBITAL*		*Barbiturates. A sedative. Abuse leads to addiction.*
GLUTETHIMIDE		*A sedative. Abuse leads to addiction*
AMFEPRAMONE		*An appetite suppressant - may lead to physical dependence.*
BARBITAL		*A barbiturate - a sedative. Abuse may lead to physical dependence.*

DANGEROUS DRUGS (CONT)

PHARMACEUTICAL NAME	COMMONLY KNOWN AS	COMMENT
ETHCHLORVYNOL *ETHINAMATE*	*PLACIDYL*	*A sedative. Abuse leads to addiction.*
MEPROBAMATE	*MILTOWN* *or* *EQUANIL*	*A tranquiliser. Abuse may lead to addiction.*
METHAQUALONE		*A hypnotic sedative. Abuse leads to addiction.*
METHYLPHENOBARBITAL *METHYPRYLON* *PHENOBARBITAL*		*A sedative. Abuse may lead to addiction.*
PIPRADROL		*A stimulant. Abuse may lead to addiction.*
	SPA	*A stimulant. Abuse may lead to addiction.*

PROHIBITED DRUGS

PHARMACEUTICAL NAME	COMMON NAME	COMMENT
ALLYL-ISO-PROPYL-ACETYL UREA	*APRONALIDE*	*Was used as a sedative - an addictive drug.*
AMIDOPYRINE	*DIPIRIN* *PIRIDOL*	*An analgesic which is liable to have a harmful effect on the blood.*
BYNIODYL SODIUM	*ORABILEX*	*Carcinogenic. A radiopaque medium - was used as a diagnostic aid.*
DESOMORPHINE	*PERMONID*	*A narcotic analgesic - abuse leads to addiction.*
DIACETYLMORPHINE	*HEROIN*	*A narcotic analgesic - addictive.*
DIETHYLTRYPTAMINE	*DET* *DMT*	*An hallucinogenic. May produce serious psychological disturbance and irreversible damage.*
	DMPH	*An hallucinogenic. Produces serious psychological disturbance and irreversible damage.*
KETOBEMIDONE		*A narcotic - analgesic - addictive.*
LYSERGIC ACID	*LSD*	*An hallucinogenic which produces serious psychological disturbance and irreversible damage.*
MESCALINE		*Extracted from cactus. An hallucinogenic which produces serious psychological disturbance and irreversible damage.*

PROHIBITED DRUGS (CONT)

PHARMACEUTICAL NAME	COMMON NAME	COMMENT
METHYL CINCHOPHEN		*An analgesic - causes toxic effects including hepatitis.*
TETRAHYDROCANNABINOL		*The active constituents of cannabis. Produces serious psychological disturbance.*
THALIDOMIDE		*Formerly used as a sedative. Associated with birth defects.*
TRIPARANOL		*Formerly used as a treatment for blood disorders - associated with formation of cataracts.*

Mr TUXWORTH: The Cabinet Member for Law expressed concern that a female may be searched by a male. The Cabinet Member for Resources stated that this search is not unreasonable because it applied to most laws and it does not particularly deal with the private person but with the goods and chattels of the person. We are more than happy to concede the point that a female should be searched by a female or a doctor or another female authorised by the Police Department because one of the unfortunate aspects of this particular trade is that many of the items that are carried and smuggled are carried within the person's body and, for that reason, such a search should only be conducted by a female.

The honourable member for Nightcliff compared the abuses of alcohol and soft drugs. This is a matter of judgment. I would just like to bring to the notice of honourable members a statement from the World Health Organisation comparing cannabis abuse with alcohol abuse. It states that it is not a valid exercise because alcohol intoxication is readily detectable even by lay personnel and there is a specific test for alcohol such as the breathaliser but cannabis intoxication can be detected only by trained and experienced observers and there is no specific ready-made test for cannabis and people under the influence of cannabis may have just as violent, aggressive and uncoordinated and deluded actions as those under the influence of alcohol.

The honourable member for Jingili alluded to several shortcomings in the bill relating to matters of law and matters that had already been raised by the Law Society. I would just advise honourable members that amendments relating to these points will be circulated probably tomorrow and will be dealt with then.

Following statements and representations by honourable members, amendments will be made to provisions concerning the entry of police. A great deal of noise has been made about the possible abuse of entry by police if they are given a carte blanche to enter any premises at any time on the pretext of searching for a drug. It is not the intention of the Assembly or the law to give the police a carte blanche to abuse the law. We are mindful of the feelings of the community and we feel it does little to enhance the image of the police force when officers use the law that they have to back them up indiscriminately. However, we are not prepared either to have the methods of entrapment used by the police watered down to such an extent that they are not useful. It is intended that the telephone warrant which has been recommended by Justice Kirby in his report on law reform be instituted in the Northern Territory and that its first place in Northern Territory law be in this particular bill.

Mr Pollock: He also recommends search without warrant for narcotics and drug offences.

Mr TUXWORTH: Mr Justice Kirby stated that a procedure should be introduced for the issuing of search warrants by telephone in exceptional cases. We all believe that such a proposal will be acceptable to the community at large and to members of the House.

We received the other day from members of the public another petition relating to 5 particular points: the presumption of guilt with possession, the forfeiture of goods, female search, detention and search, and entry without a warrant. A further point has been raised by these people during discussions yesterday and that concerns compensation. The presumption of guilt as it is written into the bill at the moment is a stern provision and we are dealing with stern circumstances. While there will be amendments to the bill relating to the presumption of guilt for possession, I do not think the tenor of the bill will be watered down at all.

In relation to forfeiture of any goods seized by the police during a raid on somebody suspected of having drugs, in the event of a complaint being laid by the police and the matter going to court, the court will deal with the confiscated items in the normal way. In the event of no complaint being laid and the matter being not further dealt with, the persons in-

volved will have the right to apply to the police station for the return of their goods. We have dealt with female search. The detention matter relates to the possible detention of persons who have been suspected of having drugs. My understanding is that this particular problem relates to just about every law on our books. I cannot see why it should be varied under the drugs bills. The search and entry without warrant has been given further consideration and has been dealt with and the matter of compensation is one which can be covered at common law and is not one that needs to be dealt with particularly in this legislation.

I would like to raise 2 other matters that have been brought out during debate which relate particularly to comparative laws in the states for drug pushers and people in possession. I would like to mention first the laws concerning drugs, arrest, search and seizure. In NSW, section 43 of the Poisons Act empowers entry and search by police or a person authorised by the Health Commission in relation to breaches of that act. In Victoria, section 62A of the Poisons Act of 1962 authorises the search by a police officer of a vehicle, boat or person and seizure of a substance or preparation where he has reasonable grounds to suspect contravention of the act. In Queensland, section 130M of the Health Act authorises that police officers or an authorised person detain, seize and arrest where he reasonably suspects possession of drugs or utensils. In South Australia, the Narcotic and Psychotropic Drugs Act of 1970, section 11, empowers police officers or persons authorised by the minister to enter buildings, ships, and to stop, search and detain persons or vehicles and seize drugs where they have reasonable excuse to expect there is a contravention of the act. In Western Australia, under the Police Act 1892-1975, section 94, the police officer or an authorised person may enter certain premises to inspect books and apprehend persons, search and detain persons, vehicles or things where there are reasonable grounds for suspecting a contravention of the act. They may also seize money, drugs, documents etc relating to the contravention of the act. In Tasmania, the Poisons Act of 1971, section 90, authorises an inspector to enter certain premises and detain substances; a police officer may search, seize and detain persons or vehicles where he has reasonable grounds to believe there are prohibited drugs. I seek leave to table full details of those comments and have them included in Hansard.

Leave granted.

QUEENSLAND

Powers of detention and arrest. Any member of the Police Force may -

(a) detain any person found in any premises or place whome he reasonably suspects to have in his possession or on any premises or in any place in contravention of any provision of 55(11) (persons licenced to possess dangerous drugs etc.) of this section any dangerous drug or other drug for the time being declared by the Governor in Council to be a dangerous drug for the purposes of this section or any substance which he suspects to be such a drug;

(b) search the person and possessions of any person so detained and anything carried or conveyed by such a person and any premises or place wherein such person may be and any premises or place wherein such person has or is suspected of having such drug or substance and for that purpose, open by any such means as he deems necessary any room, package or container;

(c) seize and retain any such drug or substance in the possession of such a person or found in the course of such a search;

(d) arrest without warrant any person who has or who he reasonably suspects has contravened or attempted to contravene any provision of 55(1) of this section and deal with him according to law.

COMMONWEALTH - CUSTOMS ACT

S.196 - Provides for officers to search any persons on reasonable suspicion of unlawful possession. Persons have right to request appearance before Justice or Collector of Customs and females may only be searched by other females.

S.197 - Provides for any officer to stop and search any vehicle on reasonable suspicion that dutiable goods may be located.

S.198 - Provides for High Court or Supreme Court Judges to issue Writs of Assistance enabling Customs Officers to call on police or other persons to assist in searches, etc.

S.199 - Provides for Comptroller or Collectors of Customs to issue Customs Warrants authorising entry to any place at any time, using force if necessary, upon reasonable suspicion of an offence being commited.

S.210 - Provides any Customs Officer with power to arrest any person upon suspicion of an offence being committed.

VICTORIA

POISONS ACT 1962 AS AMENDED

S27. Possession of specified drugs (which includes cannabis) is prohibited.

S28. Possession is defined as being upon any land or premises occupied by a person or used, enjoyed or controlled by him in any place whatever unless it be shown he had no knowledge thereof.

S31. No person shall smoke opium, Indian hemp (defined as any part of the plant Cannabis) or any other drug of addiction or prescribed drug.

S32. Trafficking in drugs (including Cannabis) is prohibited.

S62. A Justice may issue a search warrant after receiving information on oath that there is reasonable grounds for suspecting that drugs are on premises or being used.

Any member of the police force to whom a warrant is addressed may within one month of the date of the warrant enter and search the

(a) arrest all persons found offending against the Act;

(b) search any person found therein;

(c) seize and carry away substaances, articles and/or documents

S62A. An authorised member of the police force who has reasonable grounds for suspecting that there is on or in any vehicle on a public highway or on any boat or about the clothing or in the possession of any person in a public place the member may search the vehicle, boat or person and seize and carry away any substance which the member believes is or contains a poison or deleterious substance possessed in contravention of the Act. (Authorised means authorised by the Minister either generally or in a particular case.)

(NOTE: This is intended as a summary and is not an exact quote of the section.)

SOUTH AUSTRALIA

Narcotic and Psychotropic Drugs Act 1934-1974 (previously known as Dangerous Drugs Act 1934)

Section 11(1) A member of the police force or a person authorised in writing by the Minister who has reasonable cause to su-

spect there are drugs in any house, building, ship or vessel may with the authority in writing of a special magistrate or officer of police break open, enter and search that house etc. and may seize and carry away any drug and may arrest any person whom he has reasonable grounds to suspect of committing an offence against the Act.

(2) Any member of the police force or person authorised in writing by the Minister may stop, search and detain -

(a) any vehicle in or upon where there is reason to suspect any drug to which the Act applies may be found and

(b) any person who is reasonably suspected of having in his possession or conveying any drug to which the Act applies provided that before any such person is searched he may require to be taken before a Justice in which case the Justice may order the person to be searched or may discharge him without search.

(3) Any member of the police force may arrest without warrant any person he has reasonable cause to suspect has possession of a drug to which the Act applies in contravention of the Act.

(4) Every person arrested under this section may be detained until such time as he can without undue delay be taken before a Justice.

Section 5 (1) A person who - (1970)

(a) knowingly has in his possession any drug to which the Act applies

(b) smokes, consumes or administers to himself by drug to which the Act applies

or

(c) has in his possession any appliances or things for use in connection with smoking etc. shall be guilty of an offence against the Act.

(2) A person who -

(a) produces, prepares, manufactures a drug

(b) cultivates a prohibited plant knowing it to be a prohibited plant

(c) sells, gives, supplies or administers any drug to which the Act applies to any other person or otherwise deals or trades in any such drug

(d) has in his possession any drug to which the Act applies for any of the purposes set out in (c)

or

(e) being the owner, lessee or occupier of any premises concerned in the manag-

ement of any premises permits the premises to be used for production, preparation, manufacture, sale, distribution, smoking consumption or administration of any drug to which the Act applies shall be guilty of an indictable offence and liable to a penalty of $4000 or imprisonment for 10 years or both.

(3) (Section not to apply to Botanic Gardens.)

(4) A person who knowingly has in his powsession more than a prescribed quantity of any drug to which the Act applies shall be deemed to have that drug in his possession for the purposes referred to in paragraph (c) of sub-section 2 unless the contrary is proved.

NOTE - the drugs to which the Act applies include cannabis. A prohibited plant means -
opium poppy
Coca plant
Cannabis plant

WESTERN AUSTRALIA

POLICE ACT 1892-1972

S94B (1) Any person who -

(a) manufactures or prepares cannabis or opium;

(b) being the occupier of premises permits the premises to be used for the purpose of preparing opium or for sale distribution or smoking cannabis;

(c) being the owner of premises permits the premises to be used for purpose of smoking cannabis or opium;

(d) is concerned in the management of premises used for purposes aforesaid;

(e) has in his possession any implement etc.

(f) smokes or otherwise uses cannabis or opium or is found in any place which is being used for the purpose of cannabis or opium smoking is guilty of an offence against the Act.

(2) Any person -

(a) who has in his possession any drug to which this section applies;

(b) sells, supplies or offers to sell or supply or

(c) has in his possession any drug to which the section applies with intent to sell or supply

is guilty of an offence unless -

he is authorised or the drug was sold or supplied by a medical practitioner in accordance with a prescription.

Penalties - Possession $2000 and/or 3 years gaol.

Cannabis Supply $4000 and/or 10 years gaol.

Others $100,000 or 25 years gaol.

S94B (2) If a Justice is satisfied by information on oath that there is reasonable ground for suspecting -

(a) that any opium or drug to which this part of the Act applies is, in contravention to the provisions of this part of the Act or regulat-

ions, in possession or under the control of any person in any premises the Justice may grant a search warrant authorising the constable named in the warrant at an time or times within one month from the date of the warrant to enter, if need be by force, the premises named in the warrant and to search the premises and any persons found therein.

NEW SOUTH WALES

S21 Any person who manufactures, supplies, sells or deals

(a) in opium or cannabis

(b) has in his possession opium or cannabis

(c) being the occupier

(d) of any premises permits,

(e) the premises to be used for preparing or distribution or smoking of opium or cannabis

(f) has in his possession utensils used in smoking opium or cannabis; or

(g) smokes opium or cannabis,

is guilty of an offence.

Penalty $2,000 or 2 years gaol.

Trafficking over prescribed amount - imprisonment for 10 years.

S43 For the purpose of ascertaining whether the provisions of the Act or any regulation are being complied with any member of the police force or person authorised by the Commissioner may -

(a) enter the premises of any person who sells or has in his possession any poison or prohibited drug;

(b) search any such premises;

(c) .....

(d) .,.....

(e) seize and detain any substance or drug found on the premises which he has reasonable grounds to believe that there has been a contravention of the Act.

Upon complaint on Oath before a Justice that there are drugs etc. on a premises, the Justice may grant a search warrant valid for one month.

Mr TUXWORTH: I would also like to comment on the proposed penalties on the bill. It has been suggested by members of the community that our penalties are extremely stern and outrageous and do not reflect the nature of the crime. I would like to place this paper before the House and have it included in Hansard. It details the penalties that are currently in existence in the states for offences relating to drugs and I seek leave to have this paper included in Hansard.

Leave granted.

DANGEROUS DRUGS LEGISLATION	PENALTIES
N.T. (Proposed)	
Possession of under prescribed quantity of Cannabis	*$2000.00 fine 1st offence* *2 yrs gaol 2nd offence 5 yrs thereafter*
Possession of under prescribed quantity other drugs	*$5000.00 fine (2nd offence 5 yrs gaol)* *10 yrs gaol subsequent offences*
Trafficking etc. All drugs	*7 yrs 1st offence* *15 yrs 2nd offence* *25 yrs subsequent*
All states have accepted in principle the penalty for drug trafficking should be $100,000.00 fine and/or 25 years imprisonment	
QUEENSLAND	
Possession under prescribed amount	*Summary Jurisdiction $2000.00 or 2 yrs gaol or both*
Trafficking etc. (on indictment)	*$100,000 and/or life imprisonment with hard labour.*
NEW SOUTH WALES	
Possession under prescribed amount (Summary Court)	*Fine $2000.00 and/or 2 years gaol*
Trafficking Indictment	*Imprisonment for 10 yrs*
VICTORIA	
Possession under prescribed amount	*Fine $2000.00 and/or 2 years gaol*
Trafficking (Indictment)	*$4000.00 and/or 10 years gaol*
a Bill now before Parliament	*$100,000 and/or 15 years gaol*

TASMANIA	
Possession under prescribed Amount Summary	*$2000.00 and/or 10 years*
Trafficking (indictment)	*$4000.00 and/or 10 years*
SOUTH AUSTRALIA	
Possession of amount under prescribed amount	*$2000.00 and/or 2 yrs gaol*
Trafficking	*$4000.00 and/or 10 years gaol*
WESTERN AUSTRALIA	
Possession of under prescribed amount	*$2000.00 and/or 2 years gaol*
Trafficking Cannabis leaf only	*$4000.00 and/or 10 years gaol*
All other forms of drugs	*$100,000 and/or 25 years gaol*
A.C.T	
Possession of cannabis under prescribed amount	*$100 fine*
Trafficking	*$800.00 and/or 2 yrs*
Possession of Narcotics and Hallucinogens	*$500 and/or year gaol*
Trafficking	*$1000.00 and/or 3 years*
Commonwealth (Customs Act)	
Importation	*$2000.00 or 2 years or both*
Importation of over the prescribed amount	*$4000.00 and/or 10 years gaol,*

Mr TUXWORTH: In conclusion, I would just indicate that amendments are currently being prepared by the draftsmen. There is a lot of work involved but it is anticipated that they will be ready for the House tomorrow. I commend the bills and the amendments to honourable members.

Motion agreed to; bills read a second time.

Committee stage to be taken later.

ADJOURNMENT DEBATE

Mr POLLOCK: I move that the House do now adjourn. Along with the Majority Leader and others, I had the pleasure of going to Hermannsburg for a very happy occasion, the celebration of the 100th anniversary of the establishment of the Lutheran Mission at that centre. On 8 June 1877, the first missionaries arrived on the banks of the Finke River at a locality which was later named Hermannsburg and started the first Aboriginal mission in the Northern Territory. In that hundred years, it has not been an easy time for the people who have worked there and dedicated their lives to this work. Many families have been involved in that mission for a great number of years and it was very pleasing on Sunday to listen to some of those who have been involved in that work and to see again the work that has been carried out.

One of the first things the missionaries did when they arrived at Hermannsburg was to acquire a knowledge of the Aboriginal language, the Aranda language, which has been used to great advantage over the years by the missionaries and the people who have been associated with the church in the mission there. Amongst those who were present at the Thanksgiving service in the morning and the unveiling of a special memorial plaque in the afternoon was the Reverend F.M. Albrecht who first went to Hermannsburg over 51 years ago and worked there for a great number of years. His son, Pastor Paul Albrecht, is still in Alice Springs associated with the Finke River Mission. It was very interesting to listen to the sermon of Pastor Albrecht Senior who told of the early days of his association with the mission and the problems that he experienced along with the more pleasant events such as the arrival of the Reverend John Flynn with the first radio communications between that mission and Alice Springs through the Flying Doctor Service. That has developed from the original days of signal by morse to the contact that they now have with the settlement today through either the outpost radio Flying Doctor Service or the radio telephone.

It is very important to note the role of the church which has been very active at Hermannsburg and has helped in many ways to preserve the culture of the people. It has served the people through thick and thin, particularly in times of drought when there was great suffering, scurvy and other illness. The church was able to provide spiritually for the people as well as assisting them physically. This assured the survival of the western Aranda people. If that had not occurred in the late 1920s, I am sure that there would have been only a skeleton group of western Aranda people surviving and the Aboriginal people of that area would have suffered for a great number of years to come. Today, at Hermannsburg, there are over 600 people associated closely with the mission. The influence of the church also reduced the fear amongst the people of some of the more horrific traditional aspects of the Aboriginal culture, the ritual muders, the Kaidityj etc. At the same time, the activities of the church have preserved many valuable aspects of the Aboriginal culture, particularly their language.

While we are remembering the centenary, we must not forget the contribution made by people like the Strehlow family who were at the service on Sunday. Professor Strehlow is the son of one of the first missionaries to go to Hermannsburg in the 1880s. Of course, the understanding of the Aboriginal culture and the language of the Aranda people which he has gained and is able to provide to society is really invaluable. I am sure the member for Alice Springs would be able to tell us some of the difficulties which the professor is having at this stage in having this information put into written form for posterity, for our

children and the Aboriginal race. Much of that culture and anthropological background will be lost if that information which has been gained by the Strehlows over a great number of years is not preserved in some way.

Mention must also be made of the success that the mission has had in the training of the Aboriginal people in many ways. I refer to the high literacy, the work done by the stockmen, the leather craftsmen etc. In years gone by, they did have a tannery and there is a high degree of proficiency in that craft but, unfortunately, it has slipped a little bit these days. Also there are quite a number of Aboriginals who are pastors of the Lutheran church and who carry out their work not just at Hermannsburg but over a very large area of Central Australia on pastoral properties and other settlements and provide for the people a spiritual background.

The role of the mission has changed over the years. Today, there is the creation of the outstation movement in the area whereby many family groups have moved a little away from the mission and set up their own outstations at their particular tribal locations but the mission is still very active in helping those particular groups to develop. It helps the Aboriginal groups to shape their own destiny instead of trying to impose various programs on the people.

It was very gratifying to see the large number of people who went from Alice Springs and the representatives from other denominations. I did notice the Roman Catholic Bishop of Darwin in attendance. I am sure that those who were there on Sunday at the Thanksgiving service were truly appreciative of the work that has been done in the 100 years by a great number of dedicated people for the Aboriginal people in that part of my electorate.

Mrs LAWRIE: Many little birds whisper many things in my ear and, at lunchtime today, a particular little bird whispered something in my ear which I believe is not in the least confidential and which I feel I ought to bring to the attention of the House. It has been intimated to me, and certainly the details are not precise, that Her Worship the Mayor, the member for Stuart Park who has liaison responsibilities for education and planning, and the member for Fannie Bay who has responsibilities for finance and local government, have commissioned a report from a consultant attached to the Darwin Reconstruction Commission, Dr Kitty Fischer, on leisure activities. I know not whether to speak in humour or anger but, if this is correct, may I ask the following questions on behalf of the people whom I was elected to represent. If it is a fact that these 3 people have commissioned a survey on leisure activities, presumably in Darwin, by whom is this survey being financed? One must assume that it is either being financed by the Executive having regard to the fact that there are 2 Cabinet Members involved or by that benevolent institution known as the Darwin Reconstruction Commission

If the former is the case, may I express my surprise and disappointment. Cabinet Members, I have been led to believe and have accepted are short of staff and starved of finance. One would expect, in those circumstances, that they would have put their money to better use. If however, such a survey is being financed by the benevolent institution known as the Darwin Reconstruction Commission, may I suggest that the Darwin Reconstruction Commission would be better serving the populace of Darwin in concentrating on assisting the Housing Commission, in particular, to rebuild houses. May I suggest to the Darwin Reconstruction Commission that such a survey funded at a high level may not be wise at the present time. May I suggest that honourable elected members of this House who have paid close attention to their electorates in Darwin, particularly in an election year, could give the honourable Cabinet Members a very good run down on facilities that are required within their own electorates if this is the purpose of the investigation. I suggest that the honourable Cabinet Member for Finance and Local Government, who has had much to say many times on sociological problems, not only within his own electorate but within Darwin and the North-

ern Territory, has little need for such a survey.

In short, I suggest that, whatever way this particular survey is funded, it is a waste of taxpayers' money, given that taxpayers' money is in short supply and given that the Northern Territory has a need for the taxpayers' money to be spent wisely and well, I do not see the wisdom of such a survey at a high level of funding if in fact it is to be carried out. I say "if" because I only have hearsay evidence but the hearsay evidence is pretty good, It leads me to conclude that this little bird was right in what it whispered.

Having asked the members of the Assembly to consider whether it is worth while, the level of funding and by whom it is being funded, might I also ask the use to which such a survey will be put? Is it for the building of community facilities? If that is correct, could not the information have been provided by elected members and by other interested people in this community? Amongst whom is the survey being conducted? Is is a random survey? Has it any relevance to the length of time people have been here, the involvement in the community? Who sets out the guidelines? I do not wish to appear too critical but certainly I am happy to have it known that I am critical if my information is correct. I do not think specialist knowledge is needed in this particular area at a cost of $15,000 or $16,000 per annum. There are people already working in the field who could have provided the relevant information.

If my information is correct, I am surprised that the Cabinet Member having liaison responsibilities for education would want to see the taxpayers' hard earned dollars spent in this direction because, on many occasions, he has spoken in the Assembly of the high level of taxation and the need for that money to be spent to the greatest possible advantage. It may be that the survey has been commissioned wholly by Her Worship the Mayor and the other 2 members are merely to receive copies. In that case, as far as it has relevance to them, I withdraw my previous remarks. If, however, it is funded from the Northern Territory Cabinet or from the Darwin Reconstruction Commission, on which we are well represented through the same Cabinet Member for Finance and Local Government, I repeat my remarks. It is a waste of taxpayers' time and money and I really feel I am reflecting the community view when I express my derision.

Mr TAMBLING: I am often puzzled when the honourable member for Nightcliff seems to react so quickly to the little birds that twitter and make conversation with her from time to time. I would far rather that the honourable member for Nightcliff, on this occasion, had perhaps asked some questions at the appropriate time either directly to the Cabinet Member for Education and Planning or myself outside this Chamber or, if she wished, inside the Chamber, before casting aspersions and raising innuendoes. The Darwin Reconstruction Commission is in the process of winding down its operations. It is well known that, as a part of that, certain members of the staff of the Darwin Reconstruction Commission have to be relocated appropriately into various arms of government or other authorities and that, during the winding down period, the Minister for the Northern Territory has instructed that there is to be a degree of cooperation between all departments of the Australian Government and, where possible, cooperation with the Northern Territory Public Service, I think this was an admirable and generous offer of the Minister to ensure that the Darwin Reconstruction Commission, as part of its phasing out program, did attempt to assist in implementing government policy, in the administration of Australian government resources in this community and in assisting the newly formed Northern Territory Public Service.

This latter instance is rather important. As the honourable member for Nightcliff knows full well, for the past 2 years till 1 January this year, we laboured without any form of assistance whatsoever to the members of this Assembly. When a transfer of a number of powers took place on 1 January, we did obtain limited staff resources. Some members certainly did. The Darwin Reconstruction Commission in recent

months has cooperated with the Northern Territory Public Service with regard to assistance of an administrative and a clerical nature.

The member for Nightcliff referred to the fact that a consultant of the Darwin Reconstruction Commission had been brought in. That word "consultant", because of the problems we had several years ago, conjures up a lot of unnecessary opinions. However, the employee of the Darwin Reconstruction Commission has been involved with a number of surveys during the entire life of the Darwin Reconstruction Commission, particularly with regard to community attitudes. That was an established position within the Darwin Reconstruction Commission and fully answerable to the commission and Dr Kitty Fischer has fulfilled that role. As a result of the gearing down of the commission itself, some of Dr Fischer's time is now available to assist in the development of other areas and I am certainly pleased that an offer was made that we could use some of her services. The entire financing of any use of Dr Fischer's time has been at the expense of the Darwin Reconstruction Commission. I do not believe, as the member for Nightcliff implies, that it is a high level of funding. It is a level of funding that would be met whether Dr Fischer was gainfully employed or just sitting at a desk.

There have been in the past number of months, as I am sure a number of the people in the community would be aware, several surveys conducted in which we have participated. These studies will be used by Cabinet Members to ascertain what facilities are required. For some reason, the honourable member for Nightcliff seems to feel that she is the bank of knowledge that knows all of the resources that are constantly required or that members of this Assembly should be that bank of knowledge. I believe that any survey would hopefully consult with a number of members at all times and I am sure that this would have happened. It seems a pity that, on this occasion, the honourable member for Nightcliff has not been one of the people interviewed.

Mrs LAWRIE: I'd love to give an answer to "What do you do in your leisure time?"

Mr TAMBLING: I am tempted in lots of ways.

I would certainly say that any assistance that has been afforded by the Darwin Reconstruction Commission to the Northern Territory Public Service will certainly be put to good use with regard to our future policies.

Mrs Lawrie: I'm glad to know that I tempt you, Grant.

Mr ROBERTSON: I would like to take this opportunity to acquaint the House with the purpose of my visit to Sydney last Wednesday, Thursday and Friday. Since it was at taxpayers' expense, it is proper that I inform the House anyway. The purpose of the trip was to familiarise myself on behalf of this Assembly - and I say on behalf of this Assembly rather than the Majority Party - with the operations of standing committees on public accounts throughout the Commonwealth of Australia. They operate both in the federal sphere and in the states. It is my intention at a later date to prepare a detailed analysis of the 2 day conference which will be distributed among honourable members in this place. I believe that the nature of standing committees or joint committees on public accounts is such that it is so non-party that that report should be distributed to all members on both sides of the House. Perhaps that is the first thing to bear in mind with a joint committee of this nature.

We have had some experience in the operation of select committees and from my observations of the way they operated - admittedly we have not had any Labor representation on them - I think that the multiple-party system which applies in these standing committees is highly desirable and works very effectively. The delegates to the conference came from each of the states. One thing that really did impress me was the calibre of those who attended the conference. Their dedication to their parliamentary duties was quite extraordinary in that situation when no member of the media was there. There were

no members of the public around and there was no reason to impress anyone because there was no one to be impressed. It is in those situations that you really find out how sincere people are about their parliamentary duties. On this particular occasion, I thought that they came up 100% pluses.

I would like to briefly detail some of the areas in which standing committees on public accounts operate. Probably the best way to do that is to quickly flick through the agenda items.

Mr POLLOCK: Point of order, Mr Acting Speaker! I draw attention to the state of the House.

Bells rung.

Mr ACTING SPEAKER: There being no quorum, in accordance with standing order 33, the Assembly stands adjourned until 10 am, tomorrow.

Thursday 16 June 1977

Mr Speaker MacFarlane took the chair at 10 am.

PETITION

DRUGS BILLS

Mr TUXWORTH: I present a further petition from certain citizens of the Northern Territory in relation to the drug bills before the Assembly. The petition is similar to that presented last week and bears the certificate of the Acting Clerk that it is in conformity with standing orders. I move that the petition be received.

Petition received.

DISTINGUISHED VISITORS

Mr SPEAKER: Honourable members, I draw your attention to the presence of Senator Lajovic, Mr Jim Bradfield MHR and Mr Kevin Cairns MHR in the Chamber. I extend to these distinguished visitors a warm welcome on your behalf.

MEMBERS: Hear, hear!

CHURCH LANDS LEASES BILL

(Serial 205)

Bill presented and read a first time.

Mr PERRON. I move that the bill be read a second time.

The provisions which exist in the Church Land Leases Ordinance provide the mechanism for leasing land in the Northern Territory to religious bodies for church purposes. The purpose of the leases issued under this ordinance are restricted to places of religious worship and associated activity and the rentals of such leases are nominal. Under the provisions of this ordinance, leases for church purposes have been granted to most Christian denominations. Reading through the provisions, it is evident that they were drafted at a time when the people of Australia were of the same general background and culture. Religion in those days meant largely the Christian religion.

Australia today is a much more multi-racial society and this is probably more evident in the Territory than in most parts of Australia. Our population is comprised of people of many racial, cultural and religious backgrounds and happily they appear to live together without friction. In general, there is a high degree of racial and religious tolerance in the Northern Territory. Recently the Islamic Society of the Northern Territory applied for land on which to build a mosque for the observance of the Moslem religion. It seems our religious tolerance does not extend to our legislation. The terms of the legislation relate to land for church purposes and, apart from legal doubt whether that term can be used to cover a mosque, the use of the term "church" could be offensive to followers of the Moslem religion. Some amendment to the legislation is necessary to meet the present application.

I hope in the long term to incorporate the special legislation in the general land legislation of the Northern Territory with reasonable discretion to make grants to any acceptable religion. However, that task is too big for us just at present. To handle the current application, the decision was made to extend the references in the present legislation to ensure that it related to mosque purposes as well as church purposes. It is appreciated that other religious groups to which the terms "church or mosque" might not properly relate may at some time in the future apply for a similar lease. It is proposed that, in such circumstances, a minor amendment such as this will be proposed so that the Assembly and thus the people of the Northern Territory would be able to express their views in each individual case.

Eventually, I hope to see such provisions incorporated in general land legislation. The sole purpose of this bill is to ensure that the legislation providing for leasing of land for religious purposes may properly apply to the Islamic Society and that the terms of the legislation are not offensive to that society's followers. Most members will know adherents to the Moslem religion and will be aware that,

in general, they comprise a respected part of our community. The proposed amendments are reasonable and a proper reflection of the racial and religious tolerance that is common in the Northern Territory.

Debate adjourned.

CROWN LANDS BILL

(Serial 209)

Bill presented and read a first time.

Mr PERRON: I move that the bill be now read a second time.

The provisions in this bill are in support of the provisions of the Church Lands Leases Ordinance amendment of which I have just spoken. It will change various sections of the Crown Lands Ordinance to ensure that, wherever the word "church" appears, the words "church or mosque" should appear.

Debate adjourned.

SPECIAL PURPOSES LEASES BILL

(Serial 208)

Bill presented and read a first time.

Mr PERRON: I move that the bill be read a second time.

This bill also relates to the Church Land Leases Bill. Again, it is a mechanical amendment to an associated piece of legislation. It will provide that, wherever the word "church" appears, the words "church or mosque" will be substituted.

Debate adjourned.

SUPPLY BILLS

ALLOCATION OF FUNDS (SUPPLY) BILL (NO.1)

(Serial 210)

ALLOCATION OF FUNDS (SUPPLY) BILL (NO.2)

(Serial 211)

Continued from 15 June 1977.

Mr RYAN: I rise to speak briefly in support of the bills. Since it is only an interim measure, there is not very much that we can say about the funds involved as they are only a portion of that money which will be allocated to various departments this year. However, it is important to comment on the introduction of the legislation itself. It is another event in the continuing program of constitutional development of the Northern Territory. From 1 January this year, we have seen a continuation of the moves towards responsible self-government for the people of the Northern Territory. This indicates that the situation is changing until such time as we finally achieve the goal of running our own affairs completely.

Speaking of my own department, the transfer of functions since 1 January has taken place with extreme smoothness. As far as I know, no complaints have been forwarded to my department concerning foulups caused by the transfer, I believe that the people working in the department now have a better liaison with the political people responsible for policy directives in the Northern Territory. This is something that did not exist previously and will continue to improve as more functions are handed over to the Legislative Assembly. I will save any further comments until such time as there is a full budget on the money to be allocated to the departments under the control of the Legislative Assembly. I support the legislation.

Dr LETTS: It would be unwise to draw too many conclusions from the Supply Bills as distinct from the full budget presentation with its appropriation bills. However, I would just like to mention a couple of items in relation to the Chief Secretary's supply areas as indicated in the bill and the attached papers. Under division 10, subdivision 2, we are told that provision has been made for incidental expenditure including travel and the conveyance of members to the Legislative Assembly. I would like to briefly touch on the fact that members' travel and travelling allowances have drawn a certain amount of attention and

curiosity from certain members of the Federal Government. In fact, Senator Robertson and Senator Keeffe have seen fit to ask a number of questions recently about the individual travelling allowance of members of this Assembly. Having obtained the information, they made it available to the media and it was printed and some other members of that particular political party drew inferences about excess travel and junketing from the information which has been provided.

We have certain matters to deal with as members of the Assembly. In particular, the Executive Members have probably more requirements in this direction than other people and so they travel more and expend more. What fascinates me to some extent about this is the fact that Senator Robertson and Senator Keeffe, who live in in Queensland and the Northern Territory respectively, have to travel to Canberra in order to discharge their responsibilities to the electorate. They no doubt constitute a fairly heavy drain on the appropriation made in Federal Parliament for that purpose too. I have not seen anywhere listed the actual travelling allowances for Senator Robertson and Senator Keeffe during the course of the year or part thereof but I am probably very much in the same position in that my home is out of town and I would spend considerably more time living away from home in the discharge of my parliamentary, Cabinet and Executive duties. I make no apology for the amount of time I put into these. It is a rather low form of politics that these 2 Senators in relation to parliamentary representatives in another place should seek to draw some political inferences and that their political colleagues on the local scene should try to make something out of this which is not really there.

The other small area to which I would like to draw attention is the Reserves Board supply figure and to the supporting papers which indicate that the board will be able to commence a program of capital works including security, car parking, road work, restoration, improvements and that specific programs will be commenced at Arltunga, Howard Springs, Berry Springs, Edith Falls, Water Fall Creek and the Katherine 16 mile caves. It is true the Reserves Board has been somewhat starved for funds over the past 2 years and they have not been able to get on with some of these items. It is very good to see that, even with the supply allocation which is by no means the final budget figure, they will be able to pick up some of these things. I am sure we are all looking forward to the time when the Wildlife Branch and the Reserves Board in the near future will be together under the Territory Parks and Wildlife Conservation Ordinance which has now been assented to. We look forward to a strong and continued support from this Assembly for this vital aspect of Territory functions.

Mrs LAWRIE: I rise as a matter of form to indicate my support for these bills. I do not intend to debate them because these are no more than transitory provisions while we are awaiting our first real Territory budget. I have made a close examination of the bills and I have no quarrel with them. I would, however, mention one point. In the press, there has been mention of community organisations' fears for their funds. I have only had approaches from 2 of the organisations mentioned yet, apparently, a large number of organisations were expressing these fears. However, I paid close attention to the remarks of the Cabinet Member for Community Services and he has indicated that, at least until our first budget, these community organisations will continue to be funded. It is, of course, a political decision for the Majority Party whether they will continue to fund organisations which may well voice their opposition to the policies of the Majority Party. It is my assumption that they will continue to fund the organisations and not worry about political statements which may be made by some members of some organisations and which do not necessarily reflect the views of those organisations.

In mentioning this, I should comment that I cannot quite work out how the Cabinet operates. In the states, of course, ministers have a fair degree of autonomy. I have been fascinated to

hear from one Cabinet Member, of whom I have asked a succession of questions, that she cannot answer them because the Majority Party has not reached a decision. I am referring to the questions I have asked of the honourable Cabinet Member for Law about when and if the police are to be identified. I was particularly interested in her last answer: "The Majority Party had not made a decision". It is her prerogative as Cabinet Member to make that decision. I therefore assume that decisions to be made by Cabinet Members on the funding of various organisations will in fact be a party or a Cabinet decision and perhaps not be left to the Cabinet Member responsible. If I am wrong in this, I seek some light on the subject from the sponsor of the bill.

Mr POLLOCK: I also speak in support of the bills and note the significance of the introduction of these bills at this stage in the constitutional development of the Northern Territory. However, my department does not feature in these particular documents because the areas for which I have liaison responsibility are non-transferred functions as yet. However, I will take this opportunity to speak in relation to a couple of matters concerning my portfolio and ask the Commonwealth Government to note the needs of those particular areas in their preparation of plans and budget.

Primary industry has a number of submissions before the Government for various forms of assistance which it needs during the depressed times that the industry is facing. It is an important industry for the whole economy of the Territory and it is very important that the pastoral enterprises that we do have in the Territory - and I do not differentiate between the owner-occupier of a small lease and the larger companies - do receive assistance from the government in the form of rural adjustment, carry-on finance and associated areas of assistance which have been provided to the states in recent times. It is important that, in the preparation of the Commonwealth's financial affairs for the coming year, the Territory's needs in this regard are fully met. I am quite confident that the pastoral industry and, in particular the cattle industry, does have a future in the Territory. Although the times that we are experiencing at the moment may not be the most favourable, better times and greener pastures are inevitably ahead and, if we can survive the present depression with the assistance that the Commonwealth Government can provide, I am sure that the Territory's future will be assisted.

Another matter which the Commonwealth is considering at the moment is freight assistance. The cattle conference in Alice Springs in April pushed for a 40% subsidy for the carriage of livestock increasing to 60% for female cattle in an attempt to reduce the stocking rates. In Central Australia, the cattle numbers have increased an enormous extent in recent years following the good season, the poor markets and the lower turn-off. If the Commonwealth Government can come good in relation to that proposal, I am sure that the industry will be assisted.

One major area in my portfolio relates to mines and minerals. We have the possibility of mining the uranium deposits in the Northern Territory. We trust that the Mines Branch will not be stifled in the coming year by a restriction of funds which would prevent it from effectively carrying out its many duties, in particular, the development of mining in the uranium areas which I hope we shall see. The mining safety record in the Northern Territory is quite a commendable one compared to other states and I believe that this is partly due to the effect of the controls and policing of the law relating to mining in the Northern Territory. It is essential that there is finance to continue this even though, in the reshuffle of the Department of the Northern Territory in recent weeks, the responsibility for policing these matters has been removed from the Mines Branch to another department. That is a matter which I will be following up when my time permits.

My own electorate has a very large Aboriginal population and some 10 Aboriginal settlements or communities. This particular area of welfare assist-

ance and community development needs to be carefully watched in relation to funding by the Commonwealth Government. I fully support the allocation of funds to assist the Aboriginal people to overcome the problems that they have in their society. I place no limitation on the funds which should be expended in that regard, providing that they are expended with dollar value for dollar spent. It is no use spending a dollar if you are not getting any value out of it. I do not care if there is $1m or $5m spent on the development of facilities for those people if we get a dollar return from that dollar. I am afraid that, in many cases, we do not get a dollar's worth of value, we do not get ninety cents, but no value at all from the dollar that is being spent.

Recently, the Commonwealth Government spent $100,000 on the purchase and operation of a rehabilitation farm in Central Australia. They bought out a prosperous market garden and were going to establish this as a rehabilitation centre for alcoholics and other poeple with severe social problems from the Aboriginal community in and around Alice Springs. I do not believe that the Commonwealth, at this stage of the operation of this project, is getting anywhere near the value that it should be getting. What disturbs me even more is that the Commonwealth is not in any way supervising the spending of this money or trying to ensure that the money is spent wisely.

We have had questions on the notice paper in relation to certain aspects of Commonwealth funding for organisations in Central Australia for over 6 months now. The Department of Aboriginal Affairs has not provided an answer to those questions. They were asked when I was the Member for Social Affairs and I have been chasing them up, I have been told by officers of the department here in Darwin that they are pursuing the matter and that they feel the questions should be answered, I go further to say that they must be answered. The Minister for Aboriginal Affairs said as recently as the other day that he is looking into the matter and he will further advise me. This is what is happening all the time. There is somebody looking into the matter but there is not too much advice nor, more importantly, is any action being taken in relation to such matters. It is an absolute disgrace that you see so much money being virtually poured down the gutter as we see liquor poured down the gutter in Alice Springs. The money that is provided is of great value, but it could be of much greater value if it was spent properly. In so many areas, it is being spent on fancy printing or embossing on motor vehicles or flying all around the countryside with absolutely no accountability to the taxpayer who is providing by far the greatest share of the money.

At the same time, it is very gratifying to see money spent in Alice Springs on worthwhile projects. The development of some of the camp facilities around the town is at last getting under way and I believe that the money that is being spent there will be well spent as long as there is some control over the way these matters are allowed to develop. We see at Alice Springs the Old Timers Home of the Australian Inland Mission for which the Commonwealth Government provided a great deal of money. I believe it has provided in excess of $600,000 to improve facilities for the pioneers and the elderly people there. It is very gratifying to see the progress which is being made in expending that money, along with other money that is being provided by the AIM. Also, a public appeal is to be launched shortly to assist in the financing and operation of this project. The development of ward facilities there will enable the caring for the more elderly and frail people in the community without their having to leave Central Australia where they have grown up and to which they have devoted their lives. All their friends are there and hostel facilities and cottages will enable elderly family groups to live out their lives there and remain an important part of the community which we are developing in the Northern Territory. When you see money spent there, you see value for it. Unfortunately, this is not reflected in other areas around the countryside.

Miss ANDREW: I rise briefly to ex-

press my support for these bills as they relate to the Department of Law. Correctional services and police have been cinderella areas since the cyclone. The police especially have suffered massive budgetry cuts and correctional services, unfortunately, has not had a great deal of money spent upon its operation for some consider able period of time. I would like to take this opportunity to comment on the efforts of the police who have been operating on stringent financial arrangements which have been especially noticeable in the areas of operational supply, photographic equipment, fire-arms, repairs, general supplies and office requisites. There have been times when the money supply has not been available and I hope that this period has come to an end. The supply bills will certainly not allow for any expansion but that is certainly not their intention. I hope that money will be made available in the budget for the expansion of the police force. I hope also that better times are ahead for the correctional services department. Today, advertisements have been placed for the calling of tenders for the new Berrimah jail. These areas of my department have been poorly provided for in the past and I hope this time has come to an end. I am glad that finally the Assembly is dealing with its own finance bills and I commend them.

Mr TAMBLING: I would like to thank honourable members for their support. It is particularly rewarding to enjoy the support on this occasion of the honourable member for Nightcliff who, with her fine eye for detail, often tends to probe into the very sensitive areas. On this occasion, she gives her full support for this legislation and I am very pleased to receive it. I believe that it is an acceptance of the fact that we have prepared legislation that is sensitive to all the areas now under the control of the Northern Territory Legislative Assembly. For the first time, we have been able to influence priorities of expenditure and the details reflected in the bills and the expectations certainly show a number of areas where we have broken new ground and taken the initiative in establishing and recognising areas that, because of a bureaucratic system that involved so many different agencies, were not able to be dealt with before.

Honourable members have referred to the fact that this is bridging finance and, as such, gives only limited scope for new initiatives. The major program will be brought out in the first Northern Territory budget later this year. From the preliminary work that has been going on in that regard, I believe we will see in the first Northern Territory budget a remarkable change of emphasis in government spending and greater sensitivity to community requirements.

The honourable member for Nightcliff referred to various voluntary and community organisations which receive government grants. I would like to make it very clear that what an individual member of any voluntary or community organisation chooses to make as public statements, whether political or not, does not concern me or any Cabinet Member when we are considering the actual allocations. What does concern us is any political activity by a particular group, We are quite prepared to service and fund groups that provide community facilities and services consistent with government policy. I would be always careful in funding other organisations where direct governmnet budgetry control does not exist and I am very concerned with the way in which they spend money. For example, I received a representation the other day from one of these community organisations. It was a submission that had obviously been given also to a number of my colleagues, The submission was a one-page letter but attached ot it were about 20-25 pages of photocopied material supporting a particular argument. The type of duplicator used was not the standard one that would cost 1c or 2c per copy, but something in the order of 20c to 40c a page. I am aware that 3 or 4 of my colleagues received the same material whereas it ought to have come to one person. The administrative cost of that one bid by one community organisation was in fact a waste of taxpayers' money, I hope that we will be able to discuss with these organisations, suitable forms of commun-

ication that will ensure that we do not get that sort of duplication.

The issue of how decisions are made in the Northern Territory Cabinet was raised. We will largely follow the states and the Northern Territory Cabinet will take responsibility for determining the total budget context. The administration of the various items will be left to the appropriate Cabinet Members as happens in the various states and in the Commonwealth. Officers of my department will be talking in the very near future with a number of state treasury officers to look at the systems that apply to the various states to ensure that we devise the most efficient and appropriate system for the Northern Territory and not just inherit the system or the sins of the Commonwealth.

There have been press comments in recent weeks by several members of the Australian Labor Party with regard to this legislation. I believe that those comments have been ignorant, ill-informed and totally lacking in any degree of common sense. They have chosen to stir the issue and have obviously not obtained copies of the legislation or they would not have made the comments that they did. They have obviously not discussed the details with any of my officers or with myself which they certainly are at liberty to do and, from this point of view, I am extremely disappointed. I would hope that, as we gear ourselves to an election campaign later this year, any person who wants to be involved politically will take a constructive and positive view with regard to the future economic development of the Northern Territory and not just stir the pot for the sake of making a noise.

Motion agreed to; bills read a second time.

Bills passed remaining stages without further debate.

POSTPONEMENT OF ORDER OF THE DAY

DRUGS BILLS

Mr TUXWORTH: I move that order of the day number 2 be postponed.

The reason for this is that it has been beyond the capacity of the drafting section to complete the amendments. At a late stage, we have received representations that we felt were worthy of consideration. Further before these amendments are introduced into the House, sufficient time should be given to the honourable members for Nightcliff and Port Darwin to give adequate consideration to the amendments.

Motion agreed to.

RANGER URANIUM ENVIRONMENTAL INQUIRY REPORTS

Continued from 15 June 1977.

Mr TUXWORTH: I would firstly like to add weight to the comments made by previous speakers by saying that I too was put out by the way the members of this Assembly had to grovel for a copy of the report so that they could give it consideration and perhaps give an indication of their attitude towards the report in this debate. Having said that, I feel that the report is an important exercise that has taken perhaps a little longer to complete than any of us would have wished, I would like to acknowledge the effort put in by Mr Justice Fox and his commissioners in producing this report. For a man with judicial background to be given the brief of inquiring into the environmental aspects of mining uranium in the Northern Territory and the further environmental aspects of uranium throughout the world today is an extremely big job. A comparison would be for an environmental engineer or an environmental geologist to be give the brief to make a report on law reform, It was not an easy job and Mr Justice Fox has carried it out with diligence. He has not been prepared to take short cuts and he has seen fit to investigate any aspect of the uranium cycle which his charter entitled him to do. While he did not answer some of the questions that perhaps government and others would have liked answered, he most certainly contributed evidence that will be helpful in the finalisation of these decisions.

I would briefly like to say that I believe Australians have taken an un-

fortunate attitude generally towards the mining of uranium. It would be fair to say that their attitude at the moment is one of "I'm all right Jack" and it is an attitude that we cannot afford as Australians or as members of the human race. The energy race throughout the world is on and the fossil fuel cycle is about to come to an end in the next 15 to 20 years yet an alternative energy source has yet to be brought in to the world power generation scheme. Already, we have seen the Americans entering into the oil market; they are buying oil anywhere they can throughout the world and pumping it into old salt mines. We have seen the oil nations themselves moving into the field of uranium exploration. The answer is very simple: there is no alternative to oil other than uranium and the countries that have it are very fortunate and those that do not have it will have to get it from somewhere. The use of uranium in Australia will probably not come about in my lifetime because there is enough fossil fuel in this country to keep the average Australian in a reasonable standard of comfort for the next 50 years. However, that good fortune does not flow to other countries of the world. Because the other countries of the world have greater populations and greater demands for energy than outselves, they are going to have their needs satisfied and it is in this context that Australia's responsibilities to the world must be met.

In 1974, there were 116 atomic reactors operating throughout the world in eastern countries as well as the western bloc. By the end of the 1990s, there will be over 640 of these machines. Whether or not Australia has any strong attitude towards the use of uranium will not matter a tinker's cuss to the rest of the world. They have no choice; they are bound now by desperation to use the uranium energy cycle and use it they will. The concept of Australia providing energy for other persons in the world has a double side to the blade. In 1973-1974, during the energy crisis, Japan was one nation that was held to ransom by the exorbitant increases in the price of oil by the OPEC countries. The increase in oil price shattered their economy and they will take a long time to recover. The lesson in this for these countries such as Japan, Italy, Belgium and France was simply that no country in future can allow itself to become subject to one supply of fuel. Those countries are looking for a reliable source of supply and it is from that supplier that they will be purchasing their copper, silver, lead, zinc and iron-ore for their manufacturing industries.

On the home scene, the benefit of mining uranium to the Northern Territory is significant. From my own home town, Peko Wallsend was primarily involved in the find at Ranger in 1969. By 1972, they agreed to sales contracts with the Italians that they are obliged to meet by international agreement and, by 1974, they were virtually out of business. This company proposed the works at Jabiru and the works of many of their other operations on the very fact that they would have a cash income for the sale of uranium by 1975 to 1977. This has not come to fruition and, as a result, the financial situation of the company is a long way from being what it should be. I believe that the financial situation of the company will not be rectified until it is given an opportunity to realise the assets that it has developed. Already, its commitment in this area is a cash involvement of some $12m for the joint partnership.

We have heard from speakers already the problems that have been posed by Mr Justice Fox about mining in the national park on Aboriginal land and in the rest of the South Alligator region. The problems are not simple. However, I do believe that they can be worked out and that there will be a consensus of agreement between managers of national parks and Aboriginals and Europeans alike. In an effort to cater for each mining operation in the South Alligator province, perhaps the Northern Territory could use the scheme the Western Australians adopted during the sixties with their iron ore development. In an effort to give adequate security of tenure and to cover satisfactorily the responsibilities of government in relation to the development of mining, special acts of parliament were passed so that each operation could be mined

in relation to the particular problems that surrounded it.

One thing that I do feel very strongly about is that there should be no Atomic Energy Commission intervention, to the degree that was originally envisaged, in the production of the uran ium in this province. As the honourable member for Alice Springs has suggested, they should not be involved in exploration in any shape or form. The Northern Territory mining fraternity has the capacity to be able to monitor and control mining in this area and it would be a sad day for the Northern Territory if this was taken out of the hands of Territorians and vested with Canberra interests. Earlier speakers referred to the damage to the Finniss River and the contamination at Gove. I would just like to labour the point that both these problems came about as a result of having our inspectorial and monitoring services controlled by federal agencies. I am sure that Territorians would be loath to see that happen under their own guidance.

The social effects on Aborigines of the creation of a mining province and town in that area will be significant. A great deal of weight has been placed in the report on the possible disadvantages that Aborigines would face with the impact of a rather large community. In the course of time, these pressures will be brought to bear on the people anyway and perhaps now is the time to face them in an orderly and constructive manner.

Mr Justice Fox commented quite strongly on the impact that liquor may have on this region and the people who live in it. I would just like to comment that the members of the Majority Party have been conscious for some time of the alcohol problems of people at Oenpelli. We feel that the needs of an environment such as Oenpelli near the Jabiru township can be catered for quite adequately under the provisions of the new licensing ordinance. With a mining town will come many other benefits that Aboriginals will be only too pleased to reach out and take. It will bring increased health services, improved communications as far as planes, buses and cars are concerned and improved facilities for maintaining existing infrastructures.

Much has been made both in the report and by other speakers on the safety to individual miners, There are 2 aspects of this on which I would like to comment. The uranium mining industry has a pretty clean record in relation to work accident frequency in the sense that there are no recorded deaths in Australia of people who were killed or died as a result of mining uranium. There is one very simple comparison that has been made by authorities. In the coal mining industry, the accident frequency is so high that if we extracted all the coal that we required to generate the energy that will be generated by the reserves of uranium in Arnhem Land, we would kill over 60,000 coal miners during the extraction of that coal. In that sense, the industry is a safe one in which to work. The other aspect is that we have in the Northern Territory at the moment many people who were involved in mining at Rum Jungle, El Sherana, Moline and Mary Kathleen - people who were working at the face and who are normal, healthy beings and would go back to it tomorrow if they were given the chance. I know of several in my own community who are currently mining gold and they would be quite happy to go back to the uranium mining industry tomorrow.

Mr Justice Fox has indicated that there should be a restriction on the development of the townsite in the area. At this point, I must differ with him, I believe that any attempt we make to suppress the development of that region will be futile because it has so many natural attractions that it would be almost impossible to stop the development that is likely to occur there, We have in the Northern Territory at the moment certain situations where authorities and companies have been obliged to try to restrict growth and development and, in the long term, these plans were not well based and did not achieve their purpose. I refer to the operation at Gove which is a remarkably different situation in that it is very difficult to get to Gove other than by plane and because there is only one hotel there and no other infrastructure, the company has been

fairly successful in restricting other development in that area. In an area such as Jabiru where there is 180 miles of bitumen road for anybody to hop in his car and drive along, it would be an impossible task to try to restrict the growth. It would be an opportune time for the Government to move very quickly with its decisions and indicate what it intends to do about a town plan. I know of many organisations and businesses which are prepared to set up an infrastructure in the town at a moment's notice and a prerequisite to any of this development taking place is the provision of a town plan and the availability of land.

I do have strong feelings about the protection and preservation of Aboriginal areas in the South Alligator province. I had the good fortune last year to make a visit to Nourlangie Rock which has many burial caves. I was quite appalled to see that many of the bodies that had been placed in the caves and the bones from those bodies had been "ratted", for want of the better word, and there was just the odd bone left in the caves. This sort of abuse of people's traditions and beliefs is no less serious that anybody else desecrating a graveyard and I believe that every effort should be made to protect these places.

The Majority Leader yesterday gave an unequivocal expression of the Country-Liberal Party's attitude towards mining. I support that and it is something that the electors of the Territory are entitled to have access to. In fact, I think it is so important that all parties in the Territory should take a very firm stand on what they intend to do. If they do not intend to see uranium mined, they should come out and say so. In the case of the Labor Party, which has indicated that it would like to see the uranium stay in the ground for 2 to 5 years, it should also indicate whether it would use the offices of this Assembly to prevent any development in the South Alligator River region. I think the people of the Northern Territory are entitled to know that.

Mr MANUELL: I rise to support the motion that the reports be noted. I also would like to have recorded my disappointment that not enough copies of the reports were made available to members of this Assembly at an appropriate time to give us an opportunity to read them and clearly establish in our own minds an adequate critique of those reports. I would like to thank the Cabinet Member for Resources for lending me his copy of the second report and the Friends of the Earth for either giving me or lending me a copy of the first report. I also note with interest that my copy of the second report says in the back that it is not for sale, I can well imagine why because I doubt very much whether it would stay together on the shelf prior to being bought. However, these are things that we have to contend with.

It is not my intention to deal with the report specifically but to speak to it generally. I believe that there have been some excellent remarks passed in this House by other members about the report. I commend both the Majority Leader and the honourable Cabinet Member for Education and Planning on their remarks. After reading the report and various other articles in the press, I believe there is an overwhelming feeling that uranium must be mined. There is no doubt a feeling by Mr Justice Fox and his commission and some other members of the community that there are some reservations. Clearly, no matter what the degree of reservation is, uranium must continue to be considered as an energy source that must be utilised. I do believe there is a race for energy sources; our world today is in a race for survival and the question of the utilisation of various types of resources is an integral part of the survival of our society as we know it. There is already investigation into other natural resources that may be utilised for the generation of power. But, I believe that it will be some time before such sources as solar energy may be readily and economically converted to the generation of power. It is apparent to me that there is no way in which our present society can survive without the utilisation of electrical power and in the immediate future it can only be generated by hydropower, fossil power or atomic power.

A publication by Time of 2 May 1977 gives some indication of the amount of power that was being consumed in 1974 in Western Europe and 2% of that was generated by atomic fuels. It is estimated that, in 1985, a total of 9% will be generated by nuclear power. There will still be the utilisation of other energy sources - natural gas, coal, indigenous or imported oils. The significant point in this particular article was that, as far as Western Europe is concerned, there will be less emphasis placed on the import and utilisation of fossil oils from overseas. In other words, Western Europe is looking towards other sources of energy and/or converting utilisable products within their own boundaries. It is reasonable for us to consider that, whilst in that 10 year span there may only be an increase of 7% in terms of nuclear power utilisation, the actual import of that in terms of dollars must be quite substantial. This is something that Australia must well consider. I do not believe there is any need for us to consider further the importance of the export of uranium from this country to generate export income for us. There is no doubt that, as time passes, we will have a continuing struggle to maintain a balance of overseas dollars and this is one obvious area in which we can maintain that balance.

I do not doubt that all of us consider that the environment must be preserved to the best of our ability. However, we must also consider our lot in the light of our neighbours in the rest of the world, whether it be the western bloc or whether it be the eastern bloc. Undoubtedly, as the standard of living increases in our neighbouring countries, they will demand and command an increasing share of the world's resources for the generation of power. There is no doubt that Australia must consider its right and proper role of sharing with its worldly neighbours. I do not think that there is any doubt in my mind or any shadow of doubt in Mr Justice Fox's mind that uranium must be mined and must go ahead as an exportable commodity from Australia. He does express some concern about the preservation of the environment in conjunction with mining but I do not see anywhere in that report that it cannot be controlled. I think of utilisation of uranium very much as our forbears did the introduction of motorised power as far as motor vehicles were concerned. When the first motor vehicle was invented, people used to advance down the street in front of it ringing a bell and waving a red flag. I am quite convinced that the interests of conservationists and environmentalists will be preserved provided some of the attitudes expressed in the Fox Report are implemented. I also believe that the mining companies involved will want to preserve our environment. It is in their own interests to do so. Certain works have been undertaken already to investigate the requirements for the adequate preservation of the environment. I am certain that, with this continuing investigation, a continuing interest in the environment will be expressed.

Overall, I believe that there is one over-riding consideration and that is our international relationship with our neighbours. In that respect we must consider utilisation of this known energy resource in the near future. It has been said that mining exploration in the Northern Territory has wound down. I am certain it has not only wound down in the Top End but in other areas of the Northern Territory as well. The reason is that some of the known resources to date have not had the green light and, until such time as some of the interested parties that have already invested millions of dollars in exploration are given the opportunity to amortise some of their exploration costs, there will not be further exploration. There are clear examples of this with various ores, not only uranium. These deposits have not been exploited because of the lack of any known guarantee that any opportunity would arise from the original find. There are other areas of exploration where shows have been found but continuing investigation of these shows will not be made until such time as some initiative and some encouragement is offered to these companies that have made these discoveries.

It has already been expressed by other speakers that the energy gap is increasing. I think it behoves us as

legislators in the Northern Territory to take any opportunity to narrow that gap. I would support any move by any legislature to permit the early mining of uranium in the Northern Territory, to offer not only an incentive to existing mining companies but to look towards the increased exploration for fuel energy sources. I would also say that we should give existing companies the opportunity to produce as early as possible. In that respect, I do not necessarily agree with some of the recommendations that have been made by Mr Justice Fox, particularly in relation to sequential operation and utilisation of known deposits.

Mr Justice Fox recommended the sequential development of mines and that a form of purchase of known deposits should be made similar to that which is made in the United States which buys up known energy resources. I do not believe that, if a company has detected a fuel source, it should necessarily have to take its place in the 5th, 6th or 7th position down the line. If the Government elects that it should be mined sequentially and the company has expended certain amounts of money in identification of that resource, the Government should be prepared to purchase that resource from the company.

The countries that are most interested in purchasing our uranium are those Western European countries that are so dearly in need of energy resources. Already Italian and German sponsored companies, in part government owned, are operating in Australia exploring for uranium. It is quite obvious the Western European companies are interested in uranium and it is up to us to share our resources with our fellow nations with whom we have trade balances that are normally in our favour. I commend the motion.

Mr POLLOCK: I rise briefly to support the motion, The matter comes under my portfolio and I should make a few remarks on it. Most of the things I want to say have already been said and there is no point in going on and on. I believe that the finds of uranium in the Alligator River province are really only the tip of the iceburg. It has been said that there could be 10 times the amount of uranium in that area than is known at the present time. There has been concern expressed on whether the area should be declared a national park and restrictions placed on the exploration for deposits which might be found there. I am sure that in all the considerations that are made, those sort of things will be taken into consideration. It is stated that, in 1973 in America, some 16.4 million feet of drilling was done in the search for uranium to find some 21,000 tons of ore reserves whereas less than 0.25 million feet of drilling has been conducted in the Alligator River uranium province to find far greater deposits. There are significant deposits here in the Territory and the world needs them.

The economic effects of the development of the uranium deposits must be considered in the light of the whole of the Australian economic structure. We may well find that the development of the uranium deposits - and the value of those deposits is vastly underestimated by the Fox Commission - could result in the development of extensive industrial activity which will not be subsidised by the taxpayer. It is not an industry that will be subject to assistance and protection by such things as IAC reports. It will generate activity in the economy which will allow protected industries in the southern cities such as the leather goods, textile and car manufacturing industries to survive. It will provide the Commonwealth and the community with support to enable it to progress.

Much has been said about the second report and not much about the first report. It is important to note the principle findings and recommendations of the commission and none of those actually advise the cessation of uranium mining. The report states: "1. The hazards of mining and milling uranium, if those activities are properly regulated and controlled, are not such as to justify a decision not to develop Australian uranium mines. 2. The hazards involved in the ordinary operations of nuclear power reactors, if these operations are properly regulated and controlled, are not such as to justify a decision not mill and sell Australian uranium." The recommend-

ations of the first report conclude: "The policy of the Australian Government should take into account the importance to Australia, and other countries of the world, of the position of developing countries concerning energy needs and resources." That is a very important aspect in relation to the whole development of the project.

The Member for Education and Planning referred to the effect that uranium mining would have on the Territory and Australia. The general areas of concern which have been expressed by many members on this side of the House stress that uranium mining, with the safeguards and controls that can be placed on the industry in Australia or outside Australia, will be in our long-term interest.

Mr TAMBLING: It is apparent that there is a very obvious need for close consultation between this Assembly and the Australian Government on the matters associated with uranium mining and the Fox Report. The Majority Leader alluded to the Majority Party policy, particularly to the need in the future for involvement of this legislature, various statutory authorities, Government institutions and other agencies throughout the Northern Territory. It is pleasing to note that we have the first opportunity to discuss the issues surrounding this report. I think that is a major breakthrough. There have been problems in obtaining copies of the report but, at least, we have been able to discuss the report at a very early stage and influence future policies. I would hope that the debate therefore has been very constructive.

With regard to the report generally, there are several areas that I would like to comment on. I note that the report is basically silent on the issue of statehood and its implications. It is important to recognise this because the Australian Government has a firm policy of advancing the Northern Territory and the impact of that policy will have a marked effect on any future developments that must take place within the Northern Territory. Many of the recommendations of the Fox Commission Report are rather awesome in that they seem to treat the matter as a constant problem and a major difficulty. I do not look at it that way. I believe that it has been established that the moral issues have been overcome. There has not been one speaker in this Assembly who has opposed uranium mining. It is unfortunate that the Fox Commission did not have on its staff people from the Northern Territory goverment or Northern Territory agencies, who could have assisted them in putting that report together. I believe they did have some assistance from Aboriginal Affairs advisers but, with regard to the broader and wider issues, they did not have, in their central core groups, people drawn from the various arms of the public service and public administration in the Northern Territory. Therefore, there must be reflected in the report, certain shortcomings because of this remote and rather academic appraisal of the issues.

I will confine my remarks to the economic and husbandry issues rather than the issues of mining which have been adequately dealt with by other members. If we are to consider the sections of the report that deal with the economic proposals, I would draw honourable members' attention to chapter 8. They set out in detail the economic aspects for the Northern Territory, the effects on employment and development and how they can be handled. I believe the commission has been terribly conservative in the figures that it has put forward in regard to the economic advantages for the Northern Territory. I believe that the amounts shown in the Fox Report are understated, particularly in regard to the potential royalties and other economic flow-ons that will happen in mining, construction and other commercial industries of the Northern Territory. The tables giving those economic proposals adequately outline the need to develop this major resource as soon as possible because of the advantages it will have in lifting incomes and the social benefits that will flow to the residents of the Northern Territory.

I am appalled at the tardy attitude taken by the Australian Labor Party in its reaction to this report and to uranium mining. We constantly seem to get the point that the Australian Labor

Party seems to believe in artificial insemination of the Northern Territory's economy. They do not believe in some form of natural and orderly growth and economic stimulation. I am often astounded that they seem to think that all the money comes from "Big Brother" and from Treasury in Canberra.

The other area, which I call husbandry or the flow-on, relates to development in the national park. We must make sure that firm relationships are established by the proposed new Northern Territory Parks and Wildlife Commission to ensure that it is the managing body that handles the early considerations of this development. Of course, government policies will be reflected but it is important that this very strong arm which we have set up under an ordinance of this Assembly is adequately funded and adequately staffed to ensure that it works closely and in partnership with any development that is to take place in the area.

I do not accept the remarks in the report that relate to tourism. This is one of the areas that I believe the commission has felt is too deep a problem to look at positevly or creatively. The commission seems to have taken the stance that, because the tourist industry is generally depressed economically at the moment, this will not change. I believe that is a totally false argument. It would be like saying that we should close Ayers Rock, that it is not a tourist attraction. The Kakadu area has great significance for Australians and should be seen by as many Australian or international tourists as possible. It is mentioned in the report that we could see within 20 years tourist potential in the area of over 2 million visitor days per year. If an average tourist spent between $40 and $50 in a town in a day, there is an industry in that area of some $80m to $100m.

With regard to the proposals for a township, we should state as early as possible that township development in the Northern Territory will happen and it will be in response to the normal type of Australian community development and natural growth. It would be wrong to try to artificially control the growth of a township in a particular area. We must establish an attitude at a very early date with regard to a town for the uranium province. I would advocate the establishment of an open town. Perhaps there will be need for sensitive issues to be looked at here. If there are grants of Aboriginal land or a national park is proclaimed in a certain area, it will be difficult to have an open town. These issues can be overcome and must be overcome. The people who are to live in such a town - and we have seen population projections that vary anywhere from 3.5 thousand people to 10 thousand people - cannot have their rights constrained. They must have access to all the normal facilities that are available to other urban areas and they must also have access to land tenure for their own security.

We would have to look very carefully at the special needs of a township. We would have to analyse the issues and highlight all of the policy options and make these known to government at an early date. We have to look carefully and promptly at any legislation required. We would have to examine and work very closely with the Government on equitable funding arrangements. There will be a need to liaise promptly and quickly with companies and consultants and to recommend an appropriate town management mechanism in both the short and long terms. I see a difference between the short term and the longer term. Given that development will take place reasonably early, it will be very necessary to look at the location of the construction camps. Care will be needed in the selection of such sites for construction workers because these people are, in general, hard working, hard playing, hard drinking men and, realistically, they cannot be expected to display a delicate appreciation of the environment and of the Aboriginal people. Therefore the further that it is for them to go to areas of environmental or Aboriginal concern the better. In addition, ample amenities must be provided and this does not mean drink alone.

In the longer term, a township will be created where a number of the residents will seek to become permanent and we will need to look very carefully at the opportunities for them to establish

appropriate forms of local government, have a say not only in municipal functions but in the provision of town services and government services. I would see an early need for the Northern Territory Housing Commission to be very involved in the development of a town in this area. If we are going to encourage private investment and participation, it will be necessary that the housing authority back up any other services that are provided other than those that are necessary for the management and mining companies.

I view the developments in this area as the most exciting and challenging development that will ever occur in the Northern Territory. Certainly, it will be fraught with difficulties but that is what we are here for and I am sure that is why many people who work for us are here for as well. We have the opportunity to recognise the opportunity of a partnership between government and all its agencies - local, state and federal - and the residents, including the Aboriginal residents who will naturally want to participate and have areas of special significance recognised. There will also need to be a very close link between the mining interests and the commercial interests in the area. I support wholeheartedly the policy that has been put forward in this Assembly by the Majority Party and I believe that we will see a very exciting period ahead of us.

Mr KENTISH: I rise to support the motion of the Majority Leader concerning the reports. His statement was very clear and concise. It was not as lengthy as the Fox Report but it was at least readable. I have not yet read the second Fox Report and, in fact, I have not had a copy in my hand. To some extent, that is my own fault, because I was offered a copy last night but was unable to avail myself of the offer at the time. I have read and heard a good deal of comment about the report. We had newspaper comment about the report that simply said, "I do not know". Then we heard it was a "yes no report" which means much the same thing as "I do not know". It must be remembered that Mr Justice Fox to make a decision on whether we would mine uranium or not. He was asked to make a report on all the aspects of it, and he has done that at very great length and very thoroughly. He has done it at such length that it becomes almost impossible to digest it within a day or a week. All the speakers have said that we have had inadequate time to read and consider the facts of the Fox Report and the same applies to me. I have not considered it at all; I speak from heresay.

We must look at the mining and use of uranium on a global scale and we must look at it on a Northern Territory scale. Both things have to be considered. We have heard a good deal about the global requirements for power. We may be a lucky country in that we have vast reserves of coal and moderate supplies of oil and we can go on for a long time without feeling the pinch of the energy shortage. There are other countries that are not so fortunate and increasingly this world grows smaller, and we cannot continue to live in total disregard of other people in the world.

For the Northern Territory community, the establishment of the uranium mining would undoubtedly ensure greatly increased employment and prosperity. We hear various estimates that only a few hundred people may be employed but there will be a rub-off - we saw what happened with Rum Jungle - for all sections of the community and it will vastly increase prosperity. In fact, the Northern Territory was almost at a standstill after the last great war, Nothing was moving anywhere until the Rum Jungle uranium mining began close to Darwin and that seemed to given an impetus to commercial activity all over the Territory and not long after that the beef came. On the subject of Rum Jungle, it is worthy to note that, although several hundreds of acres of timber were destroyed and waters were polluted until the flood came, I have not heard that people became sick or died as a result of the mining which went on for 10 or 12 years. There seemed to be no adverse effect there or else it had no publicity.

We have a smaller community in the East Alligator region and I refer to the Aboriginal people. I have known these people for a very long time and I

am representing a good many of them in this Assembly. As the report notes, I gave evidence at the uranium inquiry and I heard a good deal of evidence on this subject of the Aboriginal people and the great care and thought that must be given to their welfare and future. It has to be realised the Aboriginal people there and in other places have been exposed for years to all the temptations and ravages which a township may provide. We have seen mining at Alyangula, Groote Eylandt, and there is an Aboriginal community at Angurugu close by. It has not been easy with the mix up of the two cultures and two peoples. Nevertheless, they have survived and I would say that they are gradually learning to live with the situation. Much the same is applying at Nhulunbuy; the people are learning to live with the new situation. Although we may correctly say that they would have been better off if no township had come nearby to them, that is short-term thinking. In the short-term, they would have been better off but, if we look at it in the longer-term, we have to consider a good many other things which may have worked to their disadvantage if civilisation had not opened up the area.

These people on the reserves have always had the freedom to come and go despite the popular talk that they have been locked on reserves. That is sheer nonsense; I have never known that situation to exist at all. They have always had complete freedom to come and go but it must be steadfastly ensured that the people of the area continue to have the undisturbed and sole use and benefit of their reserved areas, where they can escape to lick their social wounds if they have any. It must be ensured that they continue to have that advantage. Also a substantial effort must be made to preserve intact for posterity the sites of the Aboriginal people. We preserve sites and objects of significance in all parts of Australia; it is not a new concept that we should do this on behalf and with the cooperation of the Aboriginal people.

We are told by newspapers and media generally that the Fox Report is a yes/no report and we have to accept that until we read it from back to front and learn all about it. The Aboriginal land claims in the area, which for some strange reason Mr Justice Fox was also asked to advise about, apparently have been treated in much the same way and the investigation has resulted in a yes/no decision. They can have all the unoccupied crown land in the area but it will be taken back and turned into a national park. Well, I do not need to comment on that. It is an indecisive decision.

There is no doubt we can exist without electricity, without power and without petrol. I was brought up to survive and exist without those things.

Dr Letts: Where? In Alice Springs?

Mr KENTISH: It was not in Alice Springs; it was out in western Queensland. I was brought up on the banks of a creek, much like the people who lived in Egypt 2000 years ago on the banks of the Nile. I had never seen a motor car until I was 5 years old. I did not know anything about electricity and had never seen water come out of a pipe. We ground our own corn and wheat for porridge and killed cattle in the bush for meat. I was born in 1914 at a place called the Gums 80 or 90 miles beyond Dalby close to where the Moonie oil fields are now. That was our mode of living at that time, we drove in chariots, we made brooms out of broom millet and it was not until a very severe drought drove us into the town of Ipswich that I saw all the wonders of civilisation. I saw motor cars, electricity and all these modern things. We can exist without these things but that setting and those times have now passed. We could exist that way when populations were small. Now we live in a modern setting and we have to consider the present growing world populations. When we consider what people are now used to and the vast increase in population everywhere, it must be apparent that we have no alternative but to continue to support the requirements of energy supply not only for this country but for the world at large.

Dr LETTS: In closing the debate, I must say that I find it very pleasing that the debate has been expressed in

reasonable terms. None of the people who have spoken have kicked the Fox Commission. Nobody has been unduly critical of the environmental interests which are important in this matter. The debate has been, by and large, constructive and analytical.

I would like to deal with a couple of specific matters which previous speakers raised. The honourable member for Nightcliff asked me for my comments on paragraph 12 of page 309 of the Fox Report which deals with future action. Paragraph 12 covers the question of the environmental protection machinery to be set up to oversight the mining operation. In paragraph 12, the commission recommends that it be made mandatory for Ranger and other mining companies to answer promptly any request for relevant information respecting themselves and their operations made either by the director or the Northern Land Council. With that suggestion, I have no argument. I believe that properly constituted and interested parties like the director of our commission and the Northern Land Council should have the right to ask for information from the mining company and receive it.

The commission goes on to say that both the director and the Northern Land Council should have appropriate rights of inspection and with that I have no particular quarrel. The right to inspect the plant and the surrounding area is quite a reasonable recommendation that could be followed. The Commission goes on: "Further, the environment protection provision should be made legally enforceable and both the director and the Northern Land Council should be given standing to enforce them. Both should be given the right to proceed by way of injunction...". I have a little more difficulty with this recommendation. The difficulty arises because, whilst the commission speaks in broad terms of the Northern Land Council - most people think of this as a body of Aboriginals - I believe that that particular recommendation would not operate in that way and that it would not be the Aboriginals themselves who would made the assessment and take the subsequent legal action. Without any disrespect to any Aboriginal friends, I believe that, when it comes to making a technological assessment of a situation of this type and following it up with legal action, there are not very many of them who would feel confident about doing this. This means that it would be their advisers and lawyers who would follow up with the final course of action. I am not so worried about the rights of a director of a statutory authority or a government body being able to take some corrective action because those people as public servants or quasi-public servants act in a neutral way, irrespective of what government is in power. I cannot say the same for some of the advisers whom we have observed in relation to the land councils.

Recently, there have been a number of programs on radio and expressions in the media directed against this Assembly and its members by the advisers to the land councils. When I admonished them and charged them with playing party politics in the matter and suggested that their role should properly be that of administrative advisers to the Aboriginal people and not party political beings, they responded by pointing out to me that they believed that it was essential that, in the interest of their Aboriginal clients, they should engage in politics and take a particular political line. That is the way they see it. Surely to give them to power to bring a major mining operation to a halt, possibly on party political grounds without the normal constraints which a responsible public servant or the head of a statutory authority would have, is fraught with danger. I think that recommendation has to be examined with great care.

I would like to refer to a couple of specific points raised by the Cabinet Member for Finance and Local Government. He spoke of the cost of this inquiry and the cost of this report. In reading the report the ordinary reader comes across a figure of approximately $900,000 for the cost of this report. That is the cost of the commission itself but, lest it be thought that that is the total cost of what has happened over the past 2 years, let me point out that, added to that, we must take the

cost of all the people who gave evidence, their time, their travel, their legal and other advisers. I believe that the cost directly attributable to the commission itself is a fraction of what the real cost of this type of inquiry would be. It would certainly run into millions of dollars.

The Cabinet Member for Finance and Local Government also commented that the report was not very clear on the role and participation of Northern Territory people through their elected representatives and their statutory commissions in the development of this plan for the exploitation of the uranium resource and for the management of the park and conservation resource. I believe he has touched on one of the great deficiencies from our point of view. I do not think that the Fox Commission knew or understood, except in the most superficial way, the Commonwealth Government's policy for the Northern Territory to proceed in fairly rapid time towards responsible self government. If they did know or understand it, it certainly is not reflected in their report. It would probably be unfair of me to lay too much blame for this at the door of the commission itself. I believe that, if it is not clear to them and it certainly does not seem clear from the contents of the report, then a good deal of the blame must be placed at the door of the agents of government, the departments concerned and the officers who gave evidence and who did not make this patently clear.

In the debate, I think the question of uranium - its dangers, the environment, the mining aspects, the economic aspects, the international aspects and the social aspects - has been fairly well covered. We may have been a bit light in our debate on the environmental issues as far as the park was concerned. I think that we have to see that region in a very even-handed way. We have to see the uranium mining and also the inevitable development of a national park there. Whilst in the economic sense, the mining is of tremendous importance in the first perhaps 40 to 50 years, we have to bear in mind that the park with its conservation and its tourist connections should be there for ever. The matter has to be looked at in its proper perspective. I say that the park and the environment in that region will not look after itself, particularly if mining does proceed as I believe it should and will. The park and the environment will have to be looked after and the Commonwealth Government has the prime responsibility while it is taking the initiative in the decision-making about mining. It has the prime responsibility to set up at the same time, or preferably in advance, the necessary machinery for environmental controls, not to administer them entirely in its own right but to provide the resources by which, in cooperation with the Northern Territory, it will ensure that these interests are properly protected. Unless the Commonwealth is prepared to pay that price, it does not deserve to have the mining. What is more, the people of the future, our children and grandchildren, will hold us responsible for what might happen.

I have found the debate very useful. I am glad that we had the benefit of the in-depth research which a number of people have done both on the report and from other sources of information. There is every chance of a further debate in the later sittings of this Assembly perhaps with a motion directed to the Federal Government more specifically in terms of some of the recommendations and findings of the Fox Commission. We will be able to hold that debate in the light of the Government's decision within the next month or so as to what it intends for this region. I hope that it will not be unduly long in coming forward with those decisions.

Motion agreed to.

SMALL CLAIMS BILL

(Serial 202)

Continued from 8 June 1977.

Mr ROBERTSON: In supporting the bill, there are a couple of observations I would like to make. The purpose of the bill is to provide for a public record to be made of the proceedings within

the Small Claims Court under the Small Claims Ordinance. The requirement is that both the claimant's and defendant's names will appear in the Gazette with the nature of the claim and the judgment of the court.

The first question which would come to the minds of many honourable members is whether this will have a deleterious effect upon the operation of the legislation itself. In other words, the beauty of the Small Claims Ordinance has been that people can have minor litigations sorted out in an atmosphere of minimal hassle before a magistrate in chambers. They do not necessarily have to be sworn, they do not have counsel to represent them nor cross-examination by opposing counsel. Of course, the magistrate will inquire into the facts in the manner in which he sees fit. It could be suggested that, by making provision for a public record of those proceedings, it will in some way defeat the purpose of the legislation.

I have given that some thought and I do not accept that argument. I have found, through practical experience, that people who have a legitimate claim against another person will prosecute that claim with some vigour. In the local court jurisdiction in Alice Springs over a period of years, I recall that the local court file numbers would reach in excess of 8,000 in any one calendar year. I might add, in passing, that the numbers have dropped off tremendously lately and this is in no way compensated for by the increases in the Small Claims Court. I wonder if that too is an indication of the enconomic malaise of my particular area.

The fact is that people have never been discouraged from running the full torture trial of a full litigation in open court. I do not think that this particular provision will deter them in the future from using a Small Claims Court. It will have the effect of discouraging capricious actions because, if this becomes law, the information will be made available to his peers on the street. He will no longer think, "If I pull a quickie, fair enough. No one is ever going to find out about it". The jurisdiction of the local court meant that the repetitive villain who did shoddy work or refused to pay his bills or gave poor service had to bear constantly in mind the fact that his trial was being held in public and this was a deterrent to that sort of activity. Again, we will have the linen aired in public and this again will be a deterrent to the constant wrongdoer.

The mere fact of having to insert this information in the Gazette will give rise to an increase in costs to the state and I say the "state" in its full context. We will eventually take the administration of courts over, initially I would assume at lower than the Supreme Court and ultimately the Supreme Court. Certainly, within that framework, will come the small claims jurisdiction. Having raised the subject of costs, I would like to pursue the matter a little bit further. I have always had the attitude in litigation that costs of the action are costs accrued to the judgment. It has always been my belief that the scrapping of filing fees that we saw under the Labor Government was an undesirable thing. I cannot accept the premiss that the taxpayer should totally support litigation. Surely, in any matter of litigation, you have one person who is right and one who is wrong. Surely the costs of proving that case should be borne by the person who is in the wrong and he should bear it as part of the judgment. I do not really know why costs like filing fees were ever removed from our courts. At the time, the reason given was to make the courts more readily accessible to the populace. What a piece of nonsense! We are not talking about a $200 filing fee, we are talking about $5 or $6 perhaps $10. Getting back to the point, is it proper that the public should support litigation? I do not think that there would be anyone here who would really say that is a proper way to go about it.

I would ask the Majority Party to bear that in mind and also bear in mind that the Northern Territory budget will take over these types of operations. I will outline the procedure in this jurisdiction for the benefit of some honourable members who may not know it.

The claim is presented to the Clerk of Courts who then processes the information in public-paid time and sends out by certified mail the proceedings which are to go to the person who is being sued under the jurisdiction. That involves costs to the Attorney-General's Department as it now is, the Department of Law as it will be, and the taxpayer. It is money being paid to the Postal Commission. I would ask all honourable members, in looking at this type of legislation which inherently increases the cost of the administration of that court, to look at some sort of cost recovery system and that system in this particular case can only be that the unsuccessful party pays.

Debate adjourned.

LOCAL GOVERNMENT BILL

(Serial 204)

Continued from 8 June.

Mr RYAN: I support the proposed legislation. Being a member of the Assembly with a defence base in my electorate and having been lobbied quite extensively by members of that particular RAAF base, I am pleased to see that the honourable Member for Finance and Local Government has been able to introduce legislation to give these people a vote in local government elections. In speaking to the legislation, I feel that I should mention the name of the person who was more responsible than anybody for the pressure that was put on me and which I applied to the Cabinet Member for Finance and Local Government and that gentleman is Padre Brown. He particularly took to heart the fact that he and his colleagues on the RAAF base were unable to vote in council elections. He certainly never failed to raise the matter on the numerous occasions that I visited the RAAF base. Unfortunately, Padre Brown has now been transferred to another base. It is my intention to send him a copy of the ordinance when it becomes law because I am sure he will be most appreciative of the fact.

There is a strong feeling amongst RAAF and Army personnel that they involve themselves very strongly in the community yet, when the time comes for a council election, they find they are unable to register a vote. This small amendment will be very beneficial to Darwin because it will give an opportunity to vote for people who are residents of Darwin and who happen to live on a RAAF base or an Army base. I do not think the Naval Base is part of the municipality. However, it will affect them if the municipal boundaries are moved out to Berrimah.

The O.C, of the Larrakeyah Base and the O.C. of the RAAF base both live on their respective bases and are unable to vote in municipal elections. However, because Admiralty House in which the naval commander lives is on the Esplanade, he is able to vote in local government elections. This illustrates how ludicrous the present situation is. I do not know whether or not the RAAF base will continue to be in my electorate but I will at least get some satisfaction out of the fact that we managed to achieve this much for them and that they will in the future be able to vote in local government elections.

Debate adjourned.

PAROLE OF PRISONERS BILL

(Serial 214)

Continued from 14 June.

Mr ROBERTSON: The purpose of the bill is to remove the control of the correctional services from the Minister for the Northern Territory to the Administrator in relation to appointments and is subsequent to the transfer of powers. I might suggest that the fact that it deals exclusively with the transfer of powers to this legislature and to the Cabinet Member answerable to this legislature would open this subject up for quite extensive debate. Any debate on the transferred powers relating to correctional services would bring us back to the statements made by the spokesman for the Australian Labor Party, Mrs Pam O'Neil. If they happen to occupy the majority of chairs in this place, and it will be them, God help us, that the Territory people will have to suffer under.

Mr MANUELL: They may not have the chance.

Mr ROBERTSON: I admit that they may not have the chance but the thought still appals me.

If you examine what has been put out in the Labor work release prison program which is printed in the Darwin Star of the 16th of this month, you come up with 3 areas. The first of the 3 areas relates to capital works or government expenditure. We get a promise of an early start on the Berrimah Hotel.

Mrs Lawrie: Berrimah Hotel!

Mr ROBERTSON: The way we are treating prison services these days, I can be excused for making the mistake. The Berrimah Gaol, I am sorry Mr Deputy Speaker. The statement says: "We hope the government promise to commence construction early in the 1977/78 financial year will not be another broken one. In addition to that, we have a prison farm for Alice Springs promised and we all know that that has been needed for quite some time. In addition to that, we are promised remand provisions." If that is not taking the art of hypocrisy to its highest level, I do not know what is. In 3 incredible years of mad socialist spending, not one solitary nickel was spent by a socialist Labor Government in these areas that they now tell us are absolutely vital and are being neglected. I would ask you to make your judgment on that.

The actual statement of what Labor would do was contained in a press release broadcast on 16 June over the ABC. It goes into areas like the work release system and periodic detention and it deals with it in one sentence on each particular subject. That is a deliberate hoodwinking of the public. You must explain to people how you intend doing it, what the findings have been in other countries, what the findings have been in other states, how you propose to finance it and what facilities are going to support it. Did we see that in this item which was released to the ABC and went right throughout the Territory? Not likely!

What is the experience in releasing prisoners from prison. The work release system and the periodic detention system would involve releasing someone for the period of the week in order that he may work or do whatever he likes but will prevent him perhaps at night or at weekends from enjoying the fruits of normal freedom, social contact and recreation. After all, the whole thing is punitive. That is what it is all about. We are denying them the enjoyment side of the day but we are saying that they can work during the non-enjoyment part of the day. What has been the experience throughout the country of this particular enterprise? I am not necessarily knocking it, but I am not going to the people and saying that we are going to do it without explaining how it can be done and without researching it. The experience has universally been that the majority of prisoners come back utterly intoxicated having made contact with the very people we are trying to keep them away from. We are not really achieving a damn thing. You must come up with facilities. If you are going to have this sort of system is there any point in bringing them back into the same prison from which you released them? We happen to need another half a million dollars. We have to build a different type of prison complex. We have to build remand hostels or probationary hostels.

All of these areas are being actively explored by the honourable Cabinet Member for Law and she has been actively exploring them for quite some time, but she is exploring them, as is the Majority Party, with in-depth studies and research. She does not come out with a tiny little statement like that. It is about 20 lines on a piece of A4 paper. She went to a magisterial conference this morning armed with pages of research and documentation. That is what we propose in the improvement of our correctional service. We propose doing it stage by stage and I am quite sure that, if anyone wants really to know what the Majority Party is proposing in this direction, the Cabinet Member will be only too prepared to advise us and I hope she does so in reply. It is most unsatisfactory to hoodwink people by

grandiose plans in this manner and expect that that will get votes without having the responsibility of saying how you are going to go about it.

Debate adjourned.

ADJOURNMENT DEBATE

Mr TAMBLING: I move that the Assembly adjourn.

On page 6 of today's Star, there is a very interesting article attributed to the so-called leading candidate of the Australian Labor Party's team for the coming Assembly elections. Again, it is one of those articles that make you wonder just what degree of sensitivity and competence some of these people have. Mr Isaacs is making a fortune for these newspapers at the moment. He is putting out word after word that say absolutely nothing, he is making up stories, he is putting out a lot of rubbish that is just linked together and I am absolutely astounded at some of the statements that can be attributed to somebody who is supposedly the leader of a team of people who want to be elected. He is obviously trying to whip up community response to meaningless statements.

Mr Isaacs is attributed as stating that the Federal Government is gleefully shedding its responsibility for the Territory and loading additional charges onto the area without one bleat from the tame CLP. I would say that is a lot better than the repetitive and uncoordinated screeching of a pack of galahs that we have been hearing about. What additional charges have been loaded onto the community by the Federal Government? There is some talk in the article about the necessity for third party insurance premiums to rise. They are not government charges.

There is reference to the electricity tariffs that were charged on 1 July last year. When those public utility tariffs were raised, it was done responsibly and after a great deal of study and effort in assessing just what were the necessary charges. The deficits that had arisen over a number of years were phenomenal and had got totally out of hand. They started way back in Labor's era, I would argue that it is responsible to carefully review government charges. Does the Labor Party expect that Father Christmas will just go on handing out money? I have never heard Mr Isaacs arguing against a wage increase when it has been appropriate or due; the only one he has argued against occasionally has been salaries for members of this Assembly.

What concerns me more, however, is a statement attributed to Mr Isaacs which I feel is very uncharacteristic even of Mr Isaacs. It astounds me; it is obviously electioneering. In a blatant attack on a senior member of my staff, Mr Isaacs has said: "Much play had been made about the fact that a Treasury man had been made available to help the Majority Party work out finance matters. What the public did not know is that the Treasury man was only experienced in programming a computer. When it came to the nitty gritty of doing battle with the inner sanctum of the Treasury who were increasingly against exenditure in the Northern Territory, he would be swamped". What a load of codswallop! I never believed that it was possible that the Australian Labor Party would feel that the title on a man's name was the reason to start labelling him. I am surprised that a member of the Australian Labor Party who protects the rights of the individual so strongly should come out with an attack like that.

The man who has been co-opted to my staff as Director of Finance is Mr Alan Ashley who has proven his ability to get jobs done over a long period. He is a qualified accountant with the Australian Society of Accountants. He is a qualified member of the Chartered Institute of Secretaries and Administrators; he is a member of the Computer Society of Australia and is a systems analyst, not just a computer programmer. Before entering the public service, Mr Ashley had a wide experience in commerce. He was tied up with areas associated with insurance administration, the oil industry and wholesale cooperatives. He also served for a number of years in the RAAF both as air crew and also in areas of administration, accounting and supply.

In his 25 years as a member of the Australian Public Service, Mr Ashley spent 7 of those in the Auditor-General's office and the remainder of his term in both the Treasury and the Department of Finance. He has been tied up with general accounting and accounting in the Legislation Branch and the ADP computer branch sections. During the period that he has been with them, he has been responsible for the design, development and operation of the largest financial and accounting system in Australia. Before he was coopted to the Northern Territory Public Service, he held the position of Assistant Secretary. He has also carried out a number of special assignments as adviser to the Papua-New Guinea Government and has set up appropriate systems in other areas, particularly in areas relating to accounting and to legislation. His performance with us has been unquestioned and unparalleled and he has totally taken the stance of a Northern Territory public servant in every job that I have given him. He has been very effective in the preliminary budget discussions on behalf of the Northern Territory Cabinet. On a personal level, he has a wide range of community interests and, whether they be education, sporting or fund-raising matters, he has taken a leading role in many of these areas. He does not deserve this sort of statement.

Mr TUXWORTH: The Cabinet Member for Resources asked me several questions this morning. "Is there any analysis of the domestic water supply at Areyonga". The answer is yes. "What are the results of the 3 most recent analyses of the water?" On 11 February, it had a coliform count of nil, a faecal coliform count of nil and a faecal streptococci of one. On 29 August 1976, it had a coliform count of 240, a faecal coliform count of nil and a faecal streptococci of 33. On 9 June 1976, it had a coliform count of 94, a faecal coliform count of nil and a faecal streptococci of 57.

He also asked, "Is this water untreated and/or fit for human consumption?" It is below the standard recommended by the World Health Organisation and is therefore classed as suspect. The fourth question: "Is it proposed to treat the water in any way?" The answer is yes. The fifth question: "How and when will this treatment be effected". The water will be chlorinated as soon as existing plant can be repaired and members of the community trained to operate and maintain it.

A further question related to the water supply at Areyonga: "Is there a chlorination plant installed at Areyonga to treat the domestic water supply?" The answer is yes. In answer to the question on whether the plant is operative, the answer is no because facilities and staff to maintain and operate the plant are not available to keep it going. "When is it envisaged that the plant will be fully operative?" It will be fully operative as soon as the Department of Construction can arrange for the plant to be repaired and members of the community are trained to operate and maintain it - a long time.

Mrs LAWRIE: Election years make for fiery debates which would keep even my esteemed friend the honourable member for Jingili on his toes if he were here. To inject a note of reason into the adjournment debate tonight, I must inform the House that last week I received in my office a deputation of Nightcliff high school teachers who were on strike. They were on strike over the failure of the Department of the Northern Territory and the Department of Education to offer them what they considered a reasonable standard of accommodation. I spoke at length with these teachers and agreed that I would bring to the attention of the House the grievances as they presented them to me. I also made it quite clear to the teachers that I would not necessarily support everything they put to me. In fact, members will realise I cannot support some of the actions they have taken.

The teachers believe that, when single teachers are recruited, they should be offered a reasonable standard of accommodation and they do not regard hostel accommodation as reasonable. When you put that into the context of what is offered to married teaching staff without dependent children, I

would agree that they certainly have a case. Taking the Darwin urban area as an example, and ignoring the rural communities which have particular problems with accommodation, it seems to me to be unreasonable that, simply because a teacher is married and has no dependent children and probably not a dependent wife, he is automatically eligible for a 3-bedroom house. This is the policy of the Department of the Northern Territory in their allocation of staff accommodation. If a married teacher with no dependents is eligible for 3-bedroom accommodation, it then becomes unreasonable for single teachers to be eligible for nothing more than hostel accommodation.

Honourable members will be aware that I have asked a number of questions of the Cabinet Member for Education and Planning and some of the answers have been surprisingly informative. I asked what accommodation is offered to single teachers when they are posted to the Northern Territory. I received the reply: "In towns where accommodation is controlled by the Department of the Northern Territory single accommodation is generally in hostels or single quarters. In places other than these single accommodation provided by the Department of Education for single teachers can vary from a 13 metre caravan to a 3-bedroom brick house depending upon location".

I followed up that reply with a specific question asking what the teachers were offered upon recruitment by the C.T.S. in southern capitals and Cabberra. He has provided me with an informative roneoed document from the Department of Education which he assures me is given to every prospective single teacher when he is seeking advice as to the terms and conditions of employment in the Territroy. It is quite clear from this document, if in fact it is presented to those teachers, that single teachers should be under no misunderstanding as to the type of accommodation they will be offered. It states quite clearly that, in the Darwin urban area, the most they can hope for, at least for some considerable time, is to be provided with hostel accommodation and that any other private accommodation that they may seek is entirely at their own initiative. I do wish that I had had this document when I received the deputation of teachers.

I was further enlightened by the comment made by the Cabinet Member that the department believes that over 50% of the teachers inquiring as to conditions of service in the Territory and subsequently accepting positions, have in fact visited the Territory and seen the conditions prevailing for single teachers. If this is correct, I am intending to ask the N.T. Teachers' Federation how their single teachers can agree to come to the Territory knowing the conditions and then go on strike because they do not find the conditions suitable. You will realise of course that I am basing my remarks on the information provided in good faith to me and to other members of the House. If the information is proven incorrect, I am quite sure that the Cabinet Member will be just as interested as I to find out why information was supplied incorrectly.

At other times in this Assembly, I have said that I believed that a greater range of accommodation should be offered to single officers and I do not deviate from that. However, I put it to the deputation of single teachers that, if it was possible to start building accommodation they considered reasonable tomorrow, the cost of such buildings in the present financial climate would be such that, when they were charged even a subsidised rent. that rent may very well be above that available on the private market. They simply did not accept this. I still think it may be true. Rents in the private market are falling. There is likely to be an adequate supply of accommodation available to permanent public servants in the Territory.

The single teachers also asked me to bring to the notice of the House a specific grievance relating to demountables. They have asked the Department of the Northern Territory if, when demountables become available, they can be offered to single teachers and they have asked when this offer is likely to be made. It is my understanding that this particular grievance is the reason

for the present strike. The Department of the Northern Territory is apparently unable to indicate to the Teachers Federation when such an offer can be made. I have placed on notice questions relating to demountable accommodation presently controlled by the Department of the Northern Territory. I have asked upon notice if it is to be offered to single officers and, if so, when. I have also asked through this Assembly whether surplus demountable accommodation is likely to be offered to the Housing Commission and was told that that too is under consideration, and I do believe that in this instance that rather grotty phrase "under consideration" does mean active consideration.

I also asked for the basic rates of pay for single teachers teachers in the Northern Territory as several had intimated to me they could not meet the cost of private accommodation on the open market. I note the interjection of the Cabinet Member of "absurdity" without further comment but I shall in the context of my speech quote the answer he kindly supplied. Basic rates of pay for single teachers in the Northern Territory: "Band 1, there are 16 rates between $10,159 and $15,334, depending upon years of training and years of experience. In band 2 primary $15,729 per annum and secondary $17,009 per annum; band 4 primary $20,820 per annum and secondary $22,359 per annum. In addition, there is district allowance, the rates varying from $310 per year to $2,040 per year and special teaching allowances which vary from $532 to $857 per annum". In summary, the rates vary from $10,159 to $22,359 plus district and special teaching allowances.

When we consider that some single teachers may be in receipt of a very good salary indeed, it becomes then necessary to ask the N.T. Teachers' Federation if there is a specific group of teachers who are finding difficulty in arranging on the private market in Darwin what they regard as adequate and reasonable private accommodation. If that is correct, then I think they would have a case to take to the 2 Cabinet Members concerned, one having liaison responsibilities for education and the other having direct Cabinet responsibility for housing. If, however, this is not the case and the majority of single teachers are receiving what, in the context of other salaries in the community, are very good rates of pay, then I think they have very much weakened their case I do not and cannot give unqualified support to the present campaign by single teachers for other accommodation; I do, however, repeat my earlier remarks that all single officers within the public service and associated instrumentalities should have the choice of accommodation other than hostels, particularly when we have the peculiar position of married officers with no dependents being entitled to a 3-bedroom house. That is an absurdity.

I really believe it is time for the housing authority to be more than a concept and start to look like becoming a reality. It would be more relevant to the needs of housing in the Territory, and Darwin in particular, for people to be housed according to need. Notwithstanding that, if we had a couple with no dependent children, or a single permanent officer who wanted a house with very good reason - long-term residents may not wish to find themselves forever in flat accommodation or may have pets like the Lawrie family - then they should be entitled in due course to such superior accommodation and they should be expected to pay for it. Provision of accommodation according to need is an ideal that all members of all political parties would support Above and beyond simple need is the matter of personal choice and preference and one would hope that too would be available but at a more commercial rate.

I do not think the Northern Territory Teachers' Federation will clasp me to its collective manly bosom for not es pousing its cause in the manner that it would have liked. Having regard to present circumstances in Darwin, I find the greatest difficulty in summoning sympathy for teachers going on strike. Other members of this House and myself have always considered there should be a higher standard of accommodation for single people rather than simple hostel accommodation. However, I do say to the Northern Territory Teachers' Federation

that I do not think they are going the right way about securing it.

Mr KENTISH: I have listened with interest to the honourable member for Nightcliff puzzling about the perversity of human nature and I have learnt quite a deal from her talk.

We have been well informed during the last week or 2 about the Commonwealth Prime Ministers' Conference in London. Apparently, it is near its end now and it registered a united rebuke to the supreme gangster of Africa, Idi Amin. Idi did not turn up at the conference. We hear many reasons for this but we have to remember of course that he got his presidency when he seized office while the Prime Minister was attending a conference. Perhaps it would have been a very inopportune time for him to vacate the chair and go to London for he might have had the same treatment applied to him. This has happened in the Seychelles also during the conference. However, in Australia, we have an Acting Prime Minister but there seems to be no tendency so far to tip the Prime Minister out of his chair while he is attending the conference in London. I do not think Idi was willing to take any risks. He has received a great deal of publicity but we are not told much in the papers. If you were able to see African papers for a while, as I was a few years ago, you would know that what goes on in Uganda is fairly constant in other states of Africa. The papers written in English and Swahili are very frank and the attitude to human life and human welfare in that area is amazing. As I remarked when I came back from Africa some time ago, they are still in the Wyatt Earp area as far as law is concerned; you shoot first and ask afterwards.

Another decision of the conference concerned majority rule. The Prime Ministers of the Commonwealth were emphatic that majority rule must apply throughout the British Commonwealth. I do not think anyone can say that majority rule applied in any of the African states. As far as I can see, such a thing is non-existent. Originally, they were all set up with Westminster 2-party governments but Africa still has a great hangover from the days of the paramount chiefs of the tribes and areas. It is impossible in the context of Africa to have a paramount chief and an opposition; you cannot exist with that. For several thousand years, if there had been an opposition, he either was killed or fled, The result is that we have republics and some of these are under military rule. The ones that we think are best governed are those where a president has control. I had a close view of 2 of those presidencies and I found out how the elections are held. The president picked 2 or 3 men for each electorate and anyone that did not have his approval had no hope of standing. They are all one-party candidates - all the president's men. I do not know if we could do that in the Territory but that is how it works in Africa. If the President does not agree to a candidate, he does not get on the list. This is the kind of Russian democracy which applies there. Surely the people who are at this conference must know the situation when they talk about majority rule.

However, Rhodesia and South Africa have another problem apart from majority rule. There is no majority rule in the other republics but there is also no majority rule in Rhodesia and South Africa. There is something different; part of the population is not treated on the same basis as the other part of the population. Some of the population are underprivileged or disadvantaged in respect to the remainder of the population. Some have advantages that the others do not have and this is known as apartheid. Another resolution of the Prime Ministers' Conference strongly condemned apartheid policy in South Africa. I do not know how many times this has been done, but they have condemned it again. I think that most of us would agree that the policy of apartheid is not a good thing because it must lead to oppression and ill-will. In many areas, it is carried to great extremes in sport, in entertainment, in church life whereby people of different races are not allowed to congregate together. There is no sound reason for it whatever. Perhaps in education, it could be very difficult to organise something different at present, particularly in the lowest

areas of education, but in the universities it should not be difficult. In the lower areas of education, if several children are attending school for 2 or 3 days a week and absenteeism is occurring, the whole school is geared to the lower performance of the children and no one is getting a really good education.

Our Prime Minister was there and I have no doubt that he strongly supported all these motions. Nevertheless, he should look at this situation of apartheid and ensure that races are treated on a reasonably equal basis in his own country of Australia. I do not know if he has thought enough about that subject but, at some time, he may be accused of being hypocritical if he does not give it closer attention.

Dr LETTS: Mr Acting Speaker, as you know, I am not one to criticise the press and the media but, from time to time, I have been known to remind the media of their responsibility for fair and ethical reporting. I would like to quote a couple of examples of their failure to report fairly and ethically. The Northern Territory News yesterday carried a headline "Preferential Voting Repealed" when it should have read "Preferential Voting Restored". The Darwin Star carried a headline today "Canberra Dumps NT Votes Choice" when it should have read "Canberra Widens NT Votes Choice". I do not blame the journalists; we have some of the highest quality journalists in Australia serving us in the Darwin community. I do not blame them but the men who write the headlines need to have a good look at what they are writing to see whether in fact they are misleading the public and taking a stance which is so biased as to be obvious to the informed observer. I do not expect any correction of these headlines; that rarely, if ever, happens. Certainly, the opposition would have got some mileage out of the people who just read headlines and nothing else. It is a continuation of the campaign of naivety and nastiness, a campaign singularly lacking in nous and substance. The leader of the opposition team seems to be becoming daily a little more hysterical in his outbursts.

The history of optional preferential voting in the Northern Territory is something that ought to be looked at in context. The Territory, like the rest of Australia under the Commonwealth Electoral Act and virtually all of the state acts, has had normal preferential voting since the legislature was constituted in 1948 up until 1974. The idea of optional preferential or limited preferential or even first-past-the-post voting was first mooted by Labor Minister Enderby back in early 1974. At that time, in the Territory, we had the Australian Labor Party as the principal party and the Northern Territory Country Party and there were some rumours abroad that the Liberal Party might be about to create a third and make it as a political group. These rumours were current at the time when Mr Enderby made his first noises about a change in the system of voting and, clearly, if a third major a non-labor party had emerged, it would have been a tremendous political advantage to the ALP to have had a first-past-the-post system or an optional preferential system. Even the simplest of mathematicians could understand that proposition. I believe that that was the genesis of the idea. As it turned out, the anti-Labor forces in the Territory united very successfully in spite of Mr Isaacs' wishful thinking which borders on the absurd and the bizarre. I would wish to inform anyone who is interested in the subject that I believe that the Country-Liberal Party both at the parliamentary wing level and between the parliamentary wing and the party level is more united today than at any time that I have known it, and I have known it since the word go.

Mr Isaacs outrage seems to stem, in part at least, from some proposition that there was no consultation with the people of the Northern Territory nor probably with him and his party. I can assure you that, when Dr Patterson implemented Mr Enderby's original proposal and brought in optional preferential voting to the Northern Territory, there was undoubtedly no consultation with our party. Things have not changed one bit. What we are simply looking at is a difference in policy between 2 major parties: the Australian

Labor Party which tried to do something back in 1974 for what they supposed to be political advantage then, but it did not turn out that way, and the consistent and constant policy of the coalition party in Canberra which has always supported preferential voting which is standard everywhere else in Australia except in the Northern Territory. They have returned to their previous policy. There was no trickery, no treachery, no dirt; it is simply a matter of something which could well have been expected.

It is said against preferential voting that it has disadvantages for certain people who are not as well educated in the community. Does this stand up to examination? We are in a pretty good position to observe whether it does or not because we have 2 systems of voting in the Northern Territory and, of course, a 2 system arrangement is likely to be confusing to anybody, particularly those who are not well educated, who may be migrants, who may be members of the Aboriginal community. We have the preferential system of voting for federal elections and we have had, on at least one occasion, an optional preferential voting system for Northern Territory elections. If you are to have two systems, that in itself is confusing. If somebody cares to look at the statistics of the number of informal votes between those 2 systems, I venture to say, although I have not looked at them recently, that there is very little difference between the statistics relating to the 2 systems of voting. That surely is the proof of the pudding.

However, full preferential voting does give some chance for people who support minority parties or who support independents because they do not accept the principles and practice of the 2 major parties, the ALP and the Country-Liberal Party. They cannot find it in their hearts to give them first vote so they give first choice to an independent or a non-party person or perhaps to one of the minority parties. In doing what their conscience dictates, they perhaps recognise that possibly their candidate does not have a very good chance of being elected and they can turn their attention to where they would like the second vote to go or the other votes down the list. They have a better opportunity to cast another vote which may have some meaning than they would with a first-past-the-post or an optional preferential system.

I do not believe that there is any need to apologise for this move. I am simply setting out to explain it. It makes good sense. It is consistent with the platform and policy of the party which was in vogue here for some 23 or 24 years and it has returned to that. The circumstances of the temporary change to the optional preferential system were not beyond criticism and reproach and I do not think this is a matter which really merited the kind of front page treatment which it has in at least one of our journals.

Mr VALE: The points I wish to raise during this afternoon's debate go back over the past 3 or 4 years concerning the affairs of some of the people or organisations who purport to have the welfare of the Aborigines at heart. I question this and I question the amount and the direction of expenditure of certain Aboriginal organisations based in Central Australia. These organisations, namely the Central Australian Aboriginal Legal Aid, the Central Australian Aboriginal Congress and the Central Land Council, have in the past refused to supply information to this Assembly pertaining to their income and the direction of their expenditure. They have stated that, whilst they derive a large percentage of their funds from the Government coffers, they also receive private donations. I do not care if their budget is, say, $1,000 per year and of that $999 is privately donated and only $1 is provided from Government funds, as the taxpayers' dollar is involved, they must account to the public for their total expenditure and their activities.

On 21 December 1976, I placed a number of questions on notice concerning the Central Australian Aboriginal Medical Service, the Central Australian Aboriginal Legal Aid Service, the Central Australian Aboriginal Congress and the Aboriginal Hostels

Limited. The questions I asked, and which have still not been answered, were the number of persons employed by those organisations, the titles and remuneration received and other employment benefits, who was responsible for the hiring and firing of their employees and whether their organisations' financial records and expenditure are subject to any audit requirements and, if so, what. The last question was, "Are any vehicle logs and records kept?"

I was advised recently that CAAC spent in excess of $2,000 on fancy-print letterheads, business cards and envelopes and, at the same time, this organisation in Central Australia was yelling about the camps in the Todd River and the unemployed and starving Aborigines. Surely this money spent on elaborate printing could have been better expended on those Aborigines. The Central Land Council, set up primarily to coordinate and to communicate with Aboriginals, have recently released the first edition of a 500 circulation monthly newspaper that is supposed to communicate with Aboriginal people. One thing is conveniently forgotten; the newspaper is written entirely in English. There is a copy of it; from cover to cover, it is entirely in English and all it virtually does is attack various members of parliament and certain political organisations. In this newspaper, the Aboriginal people are conveniently forgotten, or are they? It is my belief that they have become a political football by people claiming to act for their welfare and who can at best be described as part-time Territorians and professional Aborigines. With the latter, I refer to those people who in recent years have claimed affinity with the Aboriginal people because of the apparent rich financial benefits available.

In the early 1950s, in the Northern Territory, persons of Aboriginal descent, many of whom had served in the armed forces during World War II, formed themselves into an association called the Half-Castes Association of the Northern Territory. The basic objective of this association was to campaign against the special restrictions and protections which were then applied to Aboriginals and to persons of Aboriginal descent in the Aboriginals Ordinance. These included access to liquor, voting rights, freedom of movement, marriage arrangements and the nature of financial transactions. This association considered that persons of Aboriginal descent should not be subject to any of those restrictions and protections and, in 1953, a deputation was taken to Paul Hasluck who had been appointed 2 years before as the first Minister for Territories and they asked him to exclude all persons of Aboriginal descent from the provisions of the Aboriginals Ordinance. Amendments were subsequently made to the ordinance in line with the views of the deputation and, apart from some special provisions relating to housing and scholarships for secondary and tertiary education until 1968, people of Aboriginal descent were regarded in respect of rights, services and obligations as no different from other citizens in the community. They wanted to be excluded from any of the benefits or restrictions applying to Aboriginal people yet today they are claiming affinity with those Aboriginal organisations.

If I may digress for one moment, I would pay high tribute to those many people of Aboriginal descent in the Territory who have worked, lived and played for many years in the Territory and called themselves simply "Territorians". Far too often, we hear politicans and others referring to black and white residents in the Territory as Aboriginals and other Northern Territorians.

I mentioned the words "political football". This is probably an understatement when you consider that, late in 1975, officers of the Aboriginal Legal Aid enrolled Aboriginal children in Central Australia who were then 12 and 13 years of age. The reason that I only now make this public is that, for some considerable time, this matter has been under police investigation. The attempt by these organisation to use children for their own political gain is damnable. I quote some of the ages. These children were born between 1959, 1953, 1958 and 1962.

During 1976, Australia witnessed the

passage of the Aboriginal Land Rights (Northern Territory) Act and the passage of this legislation, as I have said before and still believe, was an attempt by the Australian public to invoice on the Northern Territory the national debt of conscience in respect to its past treatment of Aborigines. There is little or no consultation with the recipients of the bill - the residents of the Northern Territory. Let there be no dispute: I support land entitlement for Aborigines but this legislation places the heavy hand of stagnation of all sectors of Northern Territory development - mining, pastoral and tourism - from which would flow tremendous social and economic benefits to all Territorians, and I emphasise the word "all".

Early in 1976, residents of Alice Springs witnessed a protest meeting in the town by Aboriginal people in support of land rights. Press reports indicated that 500 to 600 people participated in that meeting and I am certain that, while they were all in support of land rights legislation, a great number of them were unaware of exactly what legislation the meeting organisers were referring to. Some thought that the meeting was in support of the bill introduced by the Labor Government in 1975 while many believed that it was in support of the proposed new federal legislation. That point aside, utilising the vast financial and other resources of the Land Councils, the CAAC and the Aboriginal Legal Aid, 500-600 people arrived in Alice Springs yet, some 12 months before, over 2,000 Aboriginal people from as far afield as both the Queensland and Western Australia borders, under their own steam, attended a concert in Alice Springs given by Charlie Pride.

In October 1974 and again in 1975, resources of these organisations were used for the political campaigns for certain political parties or individuals. In 1974, hundreds of letters were circulated to voters by the Central Australian Aboriginal Congress, The cost of this letter head and postage was borne by the Australian Aboriginal Congress. It urged people to vote for a particular candidate and said: "Please do not vote for Mr ..... because he belongs to a racist Country-Liberal Party which does not really care about our Aboriginal people and our problems". I do not dispute the writer of that letter's right to campaign for a political party or for a candidate but I do dispute his right to sit in a government funded office and send out this sort of material. All over Central Australia, these organisations have continued to utilise funds for their own political beliefs and thus deny the Aboriginal people their rightful access to these funds. Again in 1975, telephone numbers 523066, which I believe belongs to the Central Australian Aboriginal Congress, and 522377, which I believe belongs to the Aboriginal Medical Centre in Central Australia, were used to despatch lengthy and costly telegrams urging Aboriginals in remote areas to vote for a particular candidate.

Recently, we had Dr Trevor Cutter, the ALP candidate for Alice Springs, coming out in criticism of the dedicated and devoted staff of the hospital in Central Australia and criticising their methods and their operation. I question a number of points: the funds that this organisation use, the number of staff that they have, the number of patients they treat and the type of treatment that they are providing for various patients. I question whether or not some of the drugs or medical benefits that these people may be providing for Aboriginals in Central Australia might be dangerous to the patients if you view the previous medication that those patients may have received from the hospital. Most of these organisations are divisive and hell bent on disrupting the entire Central Australian community. Given the funds and access to the resources, they could have done a tremendous amount for the Aboriginals within the whole of the Central Australian region, but they have not.

This speech will probably be misrepresented by some people as racist and that is something I will probably have to wear. Let me make this point: by far the greatest number of people who have approached me concerning the activities of these organisations that I have mentioned and the resultant

flow-on from the assent for the land bill are full blood Aboriginals. As a result of those approaches, I would suggest that the Auditor-General investigate immediately the direction and the expenditure of those organisations' funds to ensure that those Aboriginal people for whom the money is intended receive the total benefit of those funds.

DISTINGUISHED VISITOR

Mr ACTING SPEAKER: I draw to the attention of honourable members the presence in the gallery of Mr Hudson, the member for Werribee in the Victorian Parliament. On behalf of all members, I extend to Mr Hudson a very warm welcome.

MEMBERS: Hear, hear!

Mr POLLOCK: I want to speak about an important matter for my electorate, the water supply to the Areyonga community. I had some questions asked this morning on my behalf concerning this water supply which has been a constant source of complaint by people living at that settlement. The water supply is from a series of bores and, unfortunately, the quality is not the best. Apart from the quality, it also carries some harmful bacteria and, according to the information supplied, does not meet the World Health Organisation standard if it is not treated in some way.

This has been well recognised for quite a considerable time and, as a result, a chlorinating plant was installed at Areyonga. I believe chlorinating plants have also been installed at a number of settlements, missions and communities where the water is not of the same standard that is provided in other centres such as Alice Springs, Tennant Creek, Katherine and Darwin. Although there is a chlorinating plant at Areyonga, it is not operating. In fact, I believe it has not operated for years. It has been installed at government expense but it does not operate. It operates for a few weeks, then it breaks down. Nobody gets up off his backside in Alice Springs and gets on with the job of fixing it and ensuring that it operates effectively and continually to provide the people of Areyonga with a health water supply.

The Department of Construction is going to arrange for the plant to be repaired and for members of the community to be trained to operate and maintain it. I have been hearing that chorus for months and months. Since I have been here, the cry has been, "Oh, we are going to fix it in the next week or two and we will train some young fellows out there to operate it". Again today, the Cabinet Member has provided the same answer. Well, get on with the job! That is what I say to these people in the Department of Construction and other departments that might be involved. There is no doubt that they will find some further excuse: that they have not got the money from the Department of Aboriginal affairs to send the workforce there or that it is the Department of Northern Territory's responsibility. When this excuse is overcome, they will come up with another one. The people of Areyonga and I will not tolerate this any longer. It is time that the water supply at Areyonga was brought to a standard comparable to other places. The problems which have been continuing year after year with breakdowns and inefficiencies must stop!

Mr STEELE: I am pleased to learn that a divisional office of the Commonwealth Employment Service has opened on the first floor of the Cavenagh Court Building in Cavenagh Street. This office will handle inquiries for commercial and service occupations and the main office in Block 7 will be responsible for industrial inquiries. The lack of employment opportunities for young people, especially school leavers, in my electorate has been of particular concern to me in recent months. The end of May figures indicate that there are 68 youngsters unemployed in the Darwin area, with a total of 89 school leavers still without jobs in the Northern Territory. Employment opportunities for school leavers seeking trades and who have a sound educational background are usually good between November and February, the period of normal intake by employers. At this time, however, job opportunities are in short supply because employers are functioning with a minimum workforce

realising that, in these days of high costs, inflation and far too high taxation, the difference between a profit and a loss could be the figures of one person's wages. Indeed, those businesses that are servicing business overdrafts are being very careful and efficient in the management of their businesses.

Career opportunities in the public service have been reduced. The stated policy of the Federal Government is to contain the unnatural growth of the public service and I find no argument with that. It is a bit like Roy Barden's warts. Apprenticeship vacancies are filled rapidly and there are a total of 630 apprentices undertaking courses outside the Northern Territory. The Apprentices Board is the sole authority in any aspect of apprenticeship training in the Northern Territory. It exercises general supervision over the theoretical and practical training of apprentices. It issues certificates of trade to successful apprentices at the completion of their courses. Perhaps, most importantly, it oversights the syllabus prepared by the Darwin Community College, the Territory's only apprenticeship training outlet, for each trade course. This is necessary to ensure that the Territory syllabus is in line with what is available in other states, thus protecting an apprentice who transfers from the Territory in the middle of his course and wishes to recommence at the same level in another state. The board also advises the Administrator on all matters in relation to apprenticeship training. It is responsible for declaring trades in the Territory. The Apprentices Board supports a block-training scheme whereby apprentices are sent south from their place of employment for an intensive 7 week training course. The board pays for the air fares and subsidises accommodation up to $56 a week. The employer maintains the apprentice's wages while he or she is away.

Unfortunately, most people, including parents, are not aware that a certain standard of education is necessary to obtain an apprenticeship. Forty per cent of young people who commenced apprenticeship at the Darwin Community College had to undertake a crash remedial mathematics course before they could start on the job. Even for spray-painting, considered one of the simplest trades available, a person needs a sound knowledge of maths to be able to mix paints in the correct proportion. One of the major problems is that the education system has changed over the years. The end of year school reports are no longer based on the standard of a student's work and do not give a true picture of the student's ability in the skill of literacy and so on. Because of the low standard of education, the Apprentices Board this year will introduce its own entrance examination for young people wanting to enter apprenticeship courses. The examination will determine whether the students, through their educational background, will be able to cope with and complete the course they are about to embark on.

Staff ceilings at the community college will inhibit its future intake for apprenticeship training and, because it is essential to have qualified tradespeople, the board will be forced to send apprentices away to other states for training. The students already go away for some of the training courses but it would appear that the financial allocation used to send students away for courses already being taught would be put to better use to lift the ceiling at the community college and save the Government some money and save the students being separated from their homes. In fact, I intend to investigate this point further and perhaps refer it to the Federal Minister responsible. I have said the employers of labour have to run their businesses efficiently and economically and, bearing in mind that it does cost a lot of money to put an apprentice through training, this is completely wasted if that young person drops out of the course, particularly if the education requirements for the job cannot be coped with.

Commonwealth rebate schemes announced in January this year have the effect of supporting the technical costs of apprenticeship training as it supports education for the professional and sub-professional occupations. It also

provides living away from home allowances for apprentices in the first and second years. Also provided are tax free rebates to employers in respect of all apprentices released to attend technical colleges for compulsory full-time basic training. Rebates are also payable in respect of apprentices undertaking approved full-time off-the-job training. These schemes are fine and will no doubt play a big part in the general economic recovery of of this nation. In Darwin, however, special measures may need to be taken to help place young people in jobs. These young people have perhaps tried once or twice to obtain employment and because of shyness or lack of resources are unable to get about and canvass for work. There are unofficial agents to assist finding employment for young people. For example, the Masters Builders Association acts as a general information service for the building trade. The Commonwealth Employment Service has a full-time, youth employment officer, but the assistance to young people either by the government or by associations or by private people in this area can only be described as a pathetic exercise that in no way grapples with the problem.

However deplorable I think the situation may be, bitching about the problem without making a positive attempt to rectify the situation would be less than practical. Firstly, I call upon the Federal Government to increase manpower and services to allow for interviews in the homes of the young people and to provide transport to job interviews. I call upon the Federal Government to put economic confidence back into exploration and mining development so that confidence in the Northern Territory is restored. I ask all employers that are contacted by young job seekers to give consideration to making inquiries on behalf of that young person by ringing their associates to try to obtain an interview. Because our youth are a total community responsibility, I call on unions and our political parties to promote job opportunities wherever they can. Last, but not least, every member in this Chamber should go out of his way to assist the young people in his electorate to find a job. In fact, members of this Assembly should devote one hour daily expressly towards the finding of jobs for young people.

Mr DONDAS: I rise to speak about the Ethnic Community Council of the Northern Territory. This morning, I had the opportunity of presenting to the Assembly Senator Lajovic, Mr Bradfield MHR and Mr Kevin Cairns MHR. These gentlemen are part of an Immigration and Ethnic Committee from Canberra. They are visiting Darwin and Alice Springs today and tomorrow. The purpose of their visit is to get in touch with the various ethnic organisations throughout the Territory and discuss the problems that these groups are having. I am not sure whether members are aware that 64% of the Territory population is made up of non Anglo-Saxons. In other words, 64% of our population is made up of Chinese, Greeks, Italians etc and the other 36% are Anglo-Saxon.

Dr Letts: We are outnumbered.

Mr DONDAS: You are outnumbered nearly 2 to 1, so you had better start thinking about what you are going to do as far as the ethnic groups are concerned.

Last night at 5.30, there was a public meeting and I would like to mention what was discussed at this meeting. The first item that was discussed last night was a reunion of the Portugese-Timorese and Chinese-Timorese families in Australia through the immigration of relatives still in Timor. At a meeting on 12 April 1977, we had two other Senators from the same committee here and the same subject was discussed. At that time, it was indicated that the Minister was examining the possibility of enlarging the basis for family reunion. I believe that has since been done to include for those refugees and immigrants a mother and father or parent. As a result of that particular meeting some good inroads were made by the Minister for Immigration.

The other thing that was discussed last night was the possibility of intimidation by the Indonesian authorities in Timor towards those registering to immigrate to Australia. At the moment, I believe the Government is

trying to get a working team into Timor to try to find out who has relations in Australia and wants to come to Australia under an assisted passage. They were frightened that, if a person in Timor put his name down to come to Australia and had a family here, there might be reprisals against him. After hearing the committee last night, I believe we do not have to worry too much about this, although it is a very delicate situation. In fact, it was so delicate 2 months ago that members of the Portugese-Timorese community here did not want to give the names of their relatives in Indonesia who wanted to come from Timor to Australia. However, that particular problem has been solved.

Another thing that was discussed last night was an application for pensions for refugees. I believe that there may be some inroads made in this particular area, but they doubt whether it would be successful because there are certain things that must be taken into consideration - permanency, the number in the family, their ability to work, whether they be single mothers or widowed mothers or orphans.

Another thing that was discussed was the establishment of a crematorium in Darwin. Now that might not be important to us but there are certain members of our community whose religious rites do not allow them to be put under the ground. They have to be cremated and the only option that is available for those people is to have their bodies shipped to Brisbane or to Western Australia for cremation and the ashes returned to Darwin. Unfortunately, we are not in a position to be able to help these people because they say it is uneconomical to provide a crematorium in the Northern Territory because we do not have 500,000 people. A crematorium does not become a viable proposition until you have half a million people. At the meeting last night, most people who are involved with this problem felt that it is the role of this Assembly to make some funds available for a small crematorium in association with the present funeral director's service and not wait until we get a population of a half a million people. The expense of sending a body to another state to go through the rites of burial is very high. I think members of this Assembly should keep that in the back of their minds and perhaps come up with some sensible solution in the near future.

Another thing that was discussed last night was an increase in the current allowance for persons undertaking an accelerated course in English. I believe the Good Neighbour Council will make some definite recommendations to their own educational facility to promote an accelerated English course.

Another thing that was discussed was the implementation of a telephone interpreter service for the Darwin community. Whilst this is operating in a couple of southern capitals, it is not operating throughout Australia. The committee from Canberra thought that, because of Darwin's small population and isolation, a telephone interpreter service may be very difficult to get on the road but they are prepared to look at it and may come back with some recommendations in the near future.

Another area of concern was the inclusion of the Northern Territory translators and interpreters in the scheme for recognition by a proposed national accreditation authority. In the Northern Territory, we do not really have any accredited translators and we need translators, especially in court work. If a person is charged with an offence, he needs an interpreter who can inform him of the particular law procedure and the type of charge. The present situation is no good. I may be able to speak French, German, Italian, Greek and perhaps one other language but my mother tongue might be Italian. I might be conversant with those other languages but it does not make me an expert, it does not make me a translator. I could possibly be an expert in Italian but I cannot be an expert in the other languages because, in other languages, there are various dialects. This is an important thing that we, as legislators, must take into consideration and perhaps, in the near future, offer some assistance in this area.

The other thing that was discussed was the potential of ethnic radio in

the Northern Territory. To build a radio station just for the ethnic groups would probably cost somewhere in the order of $1m and would probably need a staff of 10 or 15. Whilst I agree that they would like to have their own ethnic radio, and in southern states there is ethnic radio, the ethnic groups of the Northern Territory are looking at a compromise. They would be quite happy to accept the ABC promoting their cultures possibly 2 hours on a Saturday afternoon, 2 hours on a Sunday and half an hour during the week. You could have the various organisations promoting their activities. They would like to see the ABC play some part in looking after their affairs without having to go to the expense of spending a $1 m.

As I originally said, 64% of Darwin's population are non Anglo-Saxons. You know your electorate better than I do. You know what Greeks, what Italians, what Germans and what Chinese you have in your electorates. I feel that you should be trying to make it your business to ask the groups in your area whether they are satisfied with what is going on around them.

There is another matter that I would like to talk about. It is an election year and previous speakers have got up tonight and one would have thought that they were campaigning out on a bus or a truck in a shopping centre. There is one particular point I would like to bring out and it has to do with the ethnic groups again. On the front page of tonight's Star, it is reported that Mr Isaacs said that the return to preferential voting would also make it more difficult for migrant electors to cast a formal vote. Who does the hell does he think he is? We have had 7,000 Greeks living in Darwin for 22 years. There are many other ethnic organisations here in Darwin and these people would be insulted at a statement that Mr Isaacs reckons that they are not capable of filling out a ballot paper. I reckon that will backfire on them, especially when you think that, in 1941, it was the Australian Labor Party in Queensland that originally brought in this full preferential voting. I do not think Mr Isaacs knows that,

There is another matter that I would like to bring up. It concerns some of the statements that some of the Australian Labor Party candidates are making. They are ridiculous and they are stupid. The spokesman on energy made a statement in last week's paper that the mining of uranium in the Northern Territory was not going to have any economic impact for Darwin and the Northern Territory.

Mr Perron: He has rocks in his head.

Mr DONDAS: I do not even think he has rocks in his head; it must be all air. How can a spokesman for a political party which is contesting the next election make statements like that It is time that the things we have said here this afternoon as a political party were said outside this Chamber.

Mr MANUELL: I would like to make some remarks this afternoon as a follow-up to an earlier remark passed by me in an earlier adjournment debate, This morning, the Cabinet Member for Education and Planning answered a question that I asked of him concerning Ross Park School. I asked whether the Minister for Education had shelved plans to upgrade and rebuild the Ross Park School, whether that was done because of cost considerations and taking into account plans to establish another primary school in the same area, and whether the Education planners had any discussions with the parent teacher group from the Ross Park School, The Cabinet Member supplied information that tended to confirm my impression that the original plans of the Education Department in relation to Ross School have been somewhat modified.

Some of the educators of that school, if not all, the bulk of the parents and myself are very concerned about the lack of continuing development of this school in accordance with the original plans. I do recall that there was considerable argument by both the educators and parent teacher body at that school that there should be a continuing development of that school to accommodate the likely increase in students numbers between now and when the Sadadeen Primary School is likely

to be completed. Notwithstanding that the original design of the school was to accommodate upwards of 570 students, even with the establishment of the new Sadadeen Primary School, which is not planned to be completed until 1981, there will not be adequate facilities unless the existing plan which has been submitted by the parent teacher group is adopted.

The honourable Cabinet Member said that he had been advised that the proposition put forward by the parent teacher group had been discussed with the Education Department and they had taken on board a number of these suggestions. One question that I did not ask directly but I would have thought was implied was when do they intend to upgrade the school at a cost of $400,000. Reviewing a letter that the Minister for Education wrote to Senator Kilgariff and to the school body, it would appear that any plans to upgrade the school in this financial year or the next financial year are beyond comprehension. If this is the case, we will have to consider at least 24 months during which the students at this school will be denied education standards that I believe should be rightfully theirs. This is in itself despicable and it does nothing other than enhance my impression that education should be a transferred function to this Legislative Assembly at the earliest possible date. I do hope that the Cabinet Member will pursue this matter and it will not be forgotten. It is a matter of some consequence for the Alice Springs community.

In order to illustrate that I am not altogether parochial, I would like to refer to an article that I read in the NT News some days ago about the likely removal of the only helicopter based within the defence forces in Darwin. I believe that, as a Northern Territorian, I should be just as conscious of the facilities required by residents of Darwin and the northern part of the Northern Territory as I am of the citizens in the south. I do question the logic of the person or department who decided that the only existing helicopter based in the Northern Territory should be removed south. I understand that it is likely to be removed for training purposes south. Is the number of helicopters available in our present defence force inadequate for existing training requirements or is this simply a matter of the Defence Department determining that there is no justification for the continued retention of a helicopter in Darwin? I would like to know the justification in removing such a piece of equipment from the Northern Territory, particularly since it is based in Darwin and alongside our northern coastline. How is it planned by the Defence Department of the Department of Northern Territory to provide for emergency services in need of a helicopter in time of emergency?

I wonder whether there is justification for removing this helicopter? Will it be replaced by a privately-owned helicopter under contract to the Department of the Northern Territory or to the Defence Department? On what basis will a helicopter be available to the defence forces or any emergency service and what will be its ability? It seems to be a crime to deny the residents of Darwin or those occupying areas adjacent to the seaboard the services of a helicopter for emergency services or, if nothing else, for surveillance. Quite frankly, I look at this as being another page in our history of how the Northern Territory continues to be denied any form of reasonable emergency or defence services. If I had my way, I would not be withdrawing this one helicopter, I would be putting another 20 here for defence purposes if nothing else.

The Majority Leader made some remarks about the Darwin Star of 16 June. I feel compelled to say, quite frankly, that the editorial content of this particular publication to my mind resembled the Bangtail Baloney paper that is produced in Alice Springs annually as a form of mirth and a piece of entertainment. I do take exception to the construction of the editorial and the comment contained in it. I would have thought that a paper purporting to be a publication voicing the opinion of journalists, and the editor supposedly, on political and other community events would endeavour to report in an unbiased and concrete manner. I am very disappointed to think that Darwin has

to enjoy such a publication. There is one thing that I can say about the Alice Springs newspapers: they do at least have a high standard of editorial comment.

Motion agreed to; the Assembly adjourned.