

The Estimates Committee convened at 8.00 am.

MINISTER FYLES' PORTFOLIOS

DEPARTMENT OF THE ATTORNEY-GENERAL AND JUSTICE

Madam CHAIR: Good morning and welcome to today's Estimates Committee hearings. We gather this morning on the land of the Larrakia people and I pay my respects, as does the committee, to their elders past, present and emerging.

I welcome you, Attorney-General and Minister for Justice, and invite you to introduce the officials accompanying you.

Ms FYLES: Thank you, Madam Chair. I would like to introduce those sitting at the table with me: the Chief Executive Officer of the Department of the Attorney-General and Justice, Mr Greg Shanahan; Deputy Chief Executive Officer, Ms Meredith Day; the Chief Financial Officer, Ms Jacqui Dowling; and Mr Craig Smyth is at the table with us.

Madam CHAIR: Good morning, everyone. Attorney-General, in a moment I will invite you to make a brief opening statement. I will then call for questions relating to the statement and the committee will then consider any whole-of-government budget and fiscal strategy-related questions, before moving on to specific output questions, and finally non-output specific budget-related questions.

I will invite the shadow minister to ask their questions first, followed by committee members, and then finally other participating members may also ask questions. The committee has agreed that other members may join in on a line of questioning pursued by a shadow minister rather than waiting for the end of the shadow's questions on the output.

Attorney-General, do you now wish to make an opening statement regarding the Department of the Attorney-General and Justice?

Ms FYLES: Thank you, Madam Chair. I also wish to advise that directors responsible for each output group will be able to join at the table as required. We also have a number of independent officers who are also able to join the committee if there are questions in relation to their work.

The Department of the Attorney-General and Justice focuses on delivering legal services to government, supporting the government's legislative program, providing support to victims of crime and administering a strong and responsive justice system. In addition, the department promotes community safety through correctional interventions, regulates workplace health and safety, and administers the Territory's licensing regime for gaming, liquor, racing, consumer and trading activities.

In the 2019–20 budget, the department has received an additional \$15m in appropriation and this has been directed towards investment in NT Correctional Services reform and also supporting core and prosecution services. We can provide more details. The department encompasses seven output groups. The department encompasses seven output groups.

The first being Legal Services, which provides government with quality legal advice, representation, policy development, supports victims of crime and conducts important research in to the criminal justice system. The department continues its work in the area of legislative reform including court reform, alcohol, criminal procedure, vulnerable witnesses, victims of crime and fines recovery. Legal Services also administers a number of grants including the continued funding to the Northern Territory Legal Aid Commission. This will ensure the commission can continue to provide appropriate and timely representation to Territorians.

The Correctional Services output group provides a safe and secure and humane custodial service that targets reoffending through focus rehabilitation programs, education and training. Correctional Services is responsible for monitoring and supervising community-based offenders to ensure compliance with the orders of the courts and the Parole Board of the Northern Territory, for whom they also provide secretariat support to the Parole Board. NT Correctional Services has embarked on a reform agenda that has been focused on reducing reoffending and producing better outcomes for our community as a whole through targeted rehabilitation programs to support improved integration back into our community.

The Court and Tribunal Support Services output group provides administrative support services to enable delivery of justice to the Territory community by courts and tribunals. In 2019–20 the refurbished Local Court

in Alice Springs will provide improved services and safer court facilities for children and domestic violence victims. It is important to note that while the CEO is accountable under the *Financial Management Act 1995* and the *Public Sector Employment and Management Act 1993* for the administration of the department, many arms are independent in delivery of their functions by virtue of statutory appointment. The Director of Public Prosecutions is one such statutory office and the DPP continues to provide an independent public prosecution service to the Territory and support witnesses and victims through the criminal justice process.

The Independent Offices output group, which includes a range of independent statutory bodies, continues the important role of protecting the community's legal rights and property interests and providing important legislative drafting services to progress the government's legislative reform agenda. In March this year the Office of the Public Guardian transferred from the Department of Health across to the Department of the Attorney-General and Justice. I note that Output 5.6 Health and Community Services Complaints Commissioner comes under my portfolio responsibilities as Minister for Health and should be directed to me at that point in the schedule, if the committee would agree.

In relation to Output 5.7, Children's Commissioner, the Minister for Territory Families has overall responsibility for the care and protection of children under the *Care and Protection of Children Act 2007*; however, as Attorney-General and Minister for Justice, I am responsible for Part 3.3 of the act relating to the prevention of child deaths.

There is also the Regulatory services group which consists of Licensing NT, Output 6.1, and NT Work Safe; 6.2 Licensing NT administers the Territory's licensing regimes for gaming, liquor, racing, consumer and trading activities.

Community harm is minimised through targeted compliance activity of high-risk areas and administration of funding for support of gambling-related research, amelioration and community not-for-profit projects. We are also making our community safer as everyone is aware of significant reforms in the alcohol space, including a new *Liquor Act*. That has been a significant body of work and I acknowledge everyone in the department and other associated departments that has assisted.

We are working to ensure Territorians are safe at work. NT WorkSafe ensures that businesses and workers meet their responsibilities under the law in regard to workplace health and safety. They also provides assistance to businesses and workers to meet their responsibilities through such things as workplace visits, advice, audits and inspections and the recent Lyons review aims for further improvement in workplace, health and safety.

The Corporate and Governance output group continues to deliver high-quality support services to the department, with a continued focus on increasing efficiencies and streamlining internal service delivery. Implementing the reform of the all-of-government centralisation of corporate services will see a significant change to this output but the department is working in earnest on this.

I welcome any questions from the committee, Madam Chair.

Madam CHAIR: Thank you, Attorney-General. Are there any questions on the statement?

Mrs FINOCCHIARO: I want to ask about budget improvement measures if you are happy to take them now, minister, or in Corporate and Governance?

Ms FYLES: In the hands of the committee.

Mrs FINOCCHIARO: What specific efficiency dividends has your agency set out for 2019–20?

Madam CHAIR: Member for Spillett, while they are getting that together, in the last couple of days we have taken all of the efficiency questions on the statement. We can continue with that, if it suits you?

Mrs FINOCCHIARO: That is fine.

Ms FYLES: Did you want the figure or the specifics? The figure is \$1.587m total across the agency

Mrs FINOCCHIARO: \$1.587m?

Ms FYLES: Correct.

Mrs FINOCCHIARO: That is the efficiency you are trying to achieve across the whole of AGD?

Ms FYLES: Yes.

Mrs FINOCCHIARO: And that includes Corrections?

Ms FYLES: Yes.

Mrs FINOCCHIARO: How will this figure be achieved?

Ms FYLES: It is about being efficient, looking at the way we deliver services and try to preserve as much funding as we can for those important frontline services. That work is being undertaken by the agency looking specifically at what they can do to achieve those savings.

Mrs FINOCCHIARO: It is a figure you have identified but you do not know how you are going to achieve it yet?

Ms FYLES: We are still working through that detail.

Mrs FINOCCHIARO: You do not know what programs or services will be cut as a result?

Ms FYLES: It is not aimed at cutting programs and services. It is aimed at looking at where we can have shared services and where we can be more efficient in the delivery of things—contracts for example—those types of savings so we can play out part in what we all need to do across the Territory.

Mrs FINOCCHIARO: Will there be any staff losses to the agency to help achieve that efficiency? For example, executive contracts staff or other staff reductions?

Ms FYLES: The Chief Executive, Mr Shanahan, will answer some detail for that.

Mr SHANAHAN: There is no specifically targeted jobs or anything at this point, but as we go through that whole process it may well be that some positions will no longer be required, but there will be no plan to terminate anyone. It will just be a matter of dealing with natural attrition and things like that.

Mrs FINOCCHIARO: How is the \$1.58m identified?

Mr SHANAHAN: That is the figure which Treasury have told us we need to find this year.

Mrs FINOCCHIARO: Will the department then be working to the matters identified in the root-and-branch review as a way to find this \$1.5m?

Mr SHANAHAN: Potentially, yes. There are three or four matters we need to look at further, but there is no guarantee at this point that it will be adopted. They are things that we are looking at. If that helps in that regard that would be a good outcome for us.

Mrs FINOCCHIARO: The root-and-branch review is not compulsory; it is a guide to departments on how to find efficiencies.

Mr SHANAHAN: It is compulsory in the sense that we need to do the reviews. Then we take it back to government. Once that is completed decisions will be made, I presume.

Mrs FINOCCHIARO: That is interesting. Was the information not provided in the root-and-branch review? Did that not come from the departments themselves in areas that they could find savings?

Mr SHANAHAN: Some were some were not. Some of it is not actually about savings; some is about efficiencies and having models going forward.

Mrs FINOCCHIARO: Some of it came from department, but where did the rest come from?

Mr SHANAHAN: There is a budget review subcommittee or ...

Ms FYLES: In terms of the position going forward and making sure that we have a sustainability, there are some things that you can identify that replicate across agencies. Others are specific to agencies.

We have been working with Treasury—in terms of the Department of the Attorney-General and Justice, particularly in correctional services, we have been doing significant work. There is limited taxpayer dollars, and most taxpayer dollars that we spend—are we doing the best we can with that? We have actually done significant work in this space already, as an agency. That has been done with KPMG working with us.

Coming back to your question, some of it is across government. We have identified areas where we can be more efficient and that replicates from agency to agency. Others are agency-specific and it has been identified—what we can do in that space.

Mrs FINOCCHIARO: What is the time frame of setting in place the measures that will help you achieve the efficiency—1 July is a couple of weeks away. At what point will the department have that locked in, or is it intended to be a moving feast where you hope by the end of the next financial year you have achieved that saving?

Mr SHANAHAN: The savings target is this year, obviously, but there will be ongoing efficiencies that come out of it if we put them in place.

Mrs FINOCCHIARO: But nothing is in place yet?

Mr SHANAHAN: No, we are still working on it. A lot of that will depend on how things pan out with the DCIS moves and how we structure ourselves to continue to receive the services we currently have.

Mrs FINOCCHIARO: That move is designed to create efficiency across government. Has your agency been told by Treasury, or wherever that information comes from, how much you will save as a result, or does that still remain to be seen?

Mr SHANAHAN: No, we have not been told anything.

Mrs FINOCCHIARO: You will have to make that transition of your corporate staff into DCIS, but you are not sure of what savings that will identify?

Mr SHANAHAN: Exactly.

Mrs FINOCCHIARO: Very interesting. I am happy to ask my questions each output, unless you want to have a wide ranging ...

Madam CHAIR: Are there any other questions on the statement?

The committee will now proceed to consider the estimates of proposed expenditure contained in the Appropriate Bill 2019–20 that relate to the Department of the Attorney-General and Justice. Are there any agency-related whole-of-government questions on budget and fiscal strategy?

That concludes consideration of agency-related whole-of-government questions on budget and fiscal strategy.

OUTPUT 1.0 – LEGAL SERVICES

Output 1.1 – Solicitor for the Northern Territory

Madam CHAIR: The committee will now proceed to Output Group 1.0, Legal Services, Output 1.1, Solicitor for the Northern Territory. Are there any questions?

Mrs FINOCCHIARO: Did SFNT provide any legal advice to government prior to government offering ECOs the voluntary opportunity to take a pay freeze?

Ms FYLES: The Department of the Attorney-General and Justice provides legal services across the Territory government. We do that when agencies come to us and areas of agencies. That would be a question better asked of that specific agency in terms of what they sought. We provide that service.

Mrs FINOCCHIARO: As the department that is the government's lawyer, legal advice was not sought by—I do not know, the Solicitor-General? My understanding is that this is a whole-of-government action that has happened where ECOs have been told they can take a voluntary pay freeze. Was no legal advice provided

by either the Solicitor-General or SFNT as a whole to the whole of government on how the government could approach that?

Ms FYLES: As the Attorney-General and Minister for Justice, our agency provides legal support right across government. I am not aware, nor should I be—as it would be inappropriate for me to know every single piece of detail. That question would be better asked of that agency in what they did in stepping that out. We provide a wide variety of legal advice, and we do that in confidence.

Mrs FINOCCHIARO: It is just interesting because it is a whole-of-government approach, so one would have thought that information was provided centrally. Has any legal advice then been provided to the Chief Minister or government regarding the comments made earlier this week by the Chief Minister that everyone will take a pay freeze—that government does not see it as voluntary?

Ms FYLES: I will refer to my previous answer. As an agency, we provide that legal advice across a range of issues to government agencies. That is done in confidence so those agencies can get the legal opinion they may or may not wish to get. It would not be appropriate for me to answer that.

Madam CHAIR: Member for Spillett, we still have OCPE to come in. I am reading into it that it is the agency which would have requested that information. Are you happy to hold that question for OCPE?

Mrs FINOCCHIARO: I do not know that is true, Madam Chair. The minister said that each agency would have provided it. I will take direction from the minister. Would OCPE, being the employment agency ...

Ms FYLES: When you say that each agency would have provided it ...

Mrs FINOCCHIARO: Sorry. You were saying that each SFNT team in each agency would have—if any legal advice was provided, it would have been provided at an agency level.

Ms FYLES: No. We do not have SFNT in each agency. We are a centralised—we provide legal services across government. Government agencies, if they wish for legal advice on a huge range of matters, come to this agency in confidence to get that advice. That is provided to them, then it is up to each agency what they do from there.

Mr WOOD: Could I follow up on that? If both the Treasurer and Chief Minister put out press releases saying that this will happen and there will be a pay freeze for executive level staff and politicians, surely they would have to know the legal rights of the government to do that before they made those announcements.

Ms FYLES: That would be a question for OCPE.

Madam CHAIR: That is later today.

Ms FYLES: We would have provided the specific agency with legal advice. It is no different to a matter within Parks and Wildlife. When they wanted to get some legal advice, they would come to us. We would provide that, but it is the agency's advice. It is not for me ...

Madam CHAIR: That is Minister McCarthy later. You can ask him that question.

Mr WOOD: I understand, but that is not what I am saying. The ministers have made a statement. If what you are saying is correct, they would have gone and checked with OCPE before they made the statement. Otherwise they would be making a statement to which the response will be, 'I do not know. I made the statement. You have to go to OCPE.' Someone must have given them legal advice that what they were saying was correct.

Ms FYLES: Member for Nelson, I was saying that it would be inappropriate for me to know specific points or questions that have been asked by government agencies. Those questions should be referred back to those agencies. What legal advice they have sought on what issues is agency-specific. We provide the legal advice through SFNT on a wide range of issues to all agencies. We are the lawyers for the government agencies.

Mr WOOD: But it is strange that when both the Chief Minister and the Treasurer have made statements and we have asked them to back that up with some sort of legal backing, they have not been able to give it. You would think that before they had made the statement, if they were doing what you said and had gone to the office of public employment, they would have been able to say what legal advice they received. That is why we are asking whether you are the legal adviser on that matter.

Madam CHAIR: Member for Nelson, we will have the opportunity this afternoon with Minister McCarthy to ask him that question, whether his agency asked for that advice.

Mr WOOD: He will send us to ...

Mrs FINOCCHIARO: But surely AGD would be able to say which agencies sought legal advice on this whole-of-government—it is a direction essentially or a policy of the government to ask ECOs to take a voluntary pay freeze. The Member for Nelson is right; that had to come from somewhere. Can the AGD at least say which agencies sought that advice or any advice on that matter prior to implementing it?

Ms FYLES: I think I have answered the question in the sense that it would be inappropriate for this agency to specifically provide what legal advice was provided. We provide that service and then each agency, you would ask a question specifically to them about what they did. It is not for us to disclose who we have provided legal advice to over the course of the year.

Mrs FINOCCHIARO: What about to your agency then? Has SFNT or AGD provided legal advice to its ECOs who will be subject to this voluntary pay freeze?

Ms FYLES: It is not appropriate for a government agency to provide legal advice to an employee. If an employee is having a change in their working conditions, they have avenues to seek representation and advice for them. AGD provides legal advice to government agencies.

Mr WOOD: You have told employees that there will be a pay freeze.

Madam CHAIR: I think we have it clear that the advice is given in confidence between the agencies and we need to ask the appropriate agency if they asked for that advice. We have that opportunity later today. Any further questions on Output 1.1?

Mrs FINOCCHIARO: Can I just confirm that OCPE is the correct agency to answer questions about legal advice and the legalities of, in the first instance, the government asking for the voluntary pay freeze and then in the second instance, what follows from the Chief Minister and the Treasurer's comments on words to the effect of 'everyone will take this pay freeze'?

Ms FYLES: Madam Chair, I believe the question of us, asking who we have provided legal advice to is inappropriate for us to answer. It goes back to agencies and I think I have said that in about five different ways. I do not have anything further to add.

Mrs FINOCCHIARO: That is not my question. Is OCPE the correct agency to answer questions about the legalities of the decision in the first place to ask ECOs to take a voluntary pay freeze and then, clearly since the comments made by the Treasurer and the Chief Minister which at the very least implies this is not voluntary, all ECOs will take this pay freeze, that OCPE will be in a position to answer those questions?

Madam CHAIR: That is all from my interpretation.

Mrs FINOCCHIARO: Madam Chair, with all due respect, I am not interested in your interpretation. I am asking the minister and now she is going to answer that question.

Ms FYLES: I have just explained that as a government legal service, an agency that provides legal service, we simply do that. Agencies come to us, they ask legal questions, we have clear processes where they can get that advice from our SFNT team and we provide that back to them in confidence. In terms of your question, I do not think that is a question for AGD.

Mrs FINOCCHIARO: You are AGD.

Ms FYLES: And I do not believe the question is specific to my agency.

Mrs FINOCCHIARO: Does this just mean that no one in government wants to answer these questions? If it is a matter for OCPE we will ask it of OCPE, but I just think it would be very telling if at that point in time OCPE turns around and says, 'That is not a matter for us; that is a matter for AGD'—I am trying to rule that out.

Ms FYLES: I have the department chief executive and I have clearly articulated what AGD does in terms of our responsibilities of providing legal advice. We do not believe that we have anything further to add to that.

Mrs FINOCCHIARO: Can I ask why it is not appropriate to answer which departments have sought legal advice specifically on that matter?

Ms FYLES: We do not do anything that could waive privilege. With respect, I would have assumed that the Member for Spillett would understand this process. We provide legal advice right across government on a myriad of issues and it is not for us to disclose that. It would be a question specifically to the agency.

As I was saying before, as an example, Parks and Wildlife might want to put up some new signage and they might be concerned about the legal implications. They would come to this agency, seek that legal advice and we would provide it. It is not for me as the Attorney-General to disclose that.

Mrs FINOCCHIARO: Just one last question before I move on. Earlier in your comments, you mentioned that there are no SFNT staff in departments, that you are a centralised agency. Can you expand on that?

Ms FYLES: We have all the Territory government's lawyers—there are small numbers in Police, Education and Health, but they are in the process of being transferred across to AGD.

Mrs FINOCCHIARO: Out of the department, and centralised back with AGD?

Ms FYLES: Correct.

Mrs FINOCCHIARO: Interesting. What is AGD's view on asking its CEOs to take the pay freeze?

Ms FYLES: AGD would not provide comment on that. It is government policy and they would implement it.

Mrs FINOCCHIARO: Interesting. In the past year how many legal actions have been filed against a Northern Territory Government department or employee in the Supreme Court or Federal Court, and how does that compare to the previous year? How many of those are currently before the court?

Ms FYLES: That is not something we have on hand. We might not necessarily be aware of every matter. As I was explaining before, we are a service for government agencies to engage with us. We could take that on notice, but it would be a considerable amount of work. We are happy to provide some detail, but I cannot assure you I would get every case.

Mrs FINOCCHIARO: You could at least get cases that relate to AGD.

Ms FYLES: Yes. As I said it would be considerable work for the agency, but if that is the questions ...

Madam CHAIR: Do you want to put that on notice?

Mrs FINOCCHIARO: Yes, thank you.

Question on Notice No 4.1

Madam CHAIR: Member for Spillett, please restate the question for the record.

Mrs FINOCCHIARO: In the past year how many legal actions have been filed against the Northern Territory Government, a department or employee in the Supreme Court or Commonwealth courts, and how does that compare to the previous year? How many of those are currently before the court?

Ms FYLES: Just to clarify, are you saying whole-of-government? The first time you asked me it was our agency.

Mrs FINOCCHIARO: Sorry, if you cannot say if departments did not come to SFNT—how many legal actions that SFNT is aware of have been filed against the Northern Territory Government?

Ms FYLES: Our involvement or have been filed against? It has changed.

Mrs FINOCCHIARO: No, it has not. I am asking how many SFNT knows about that have been filed against the Northern Territory Government.

Ms FYLES: And which courts, if you can clarify.

Mrs FINOCCHIARO: Supreme and federal.

Madam CHAIR: Minister, do you accept the question?

Ms FYLES: Yes.

Madam CHAIR: The question asked by the Member for Spillett has been allocated the number 4.1.

Madam CHAIR: Are there any further questions on Output 1.1?

Mrs FINOCCHIARO: Of matters being handled by AGD, how much has the Northern Territory Government spent in settling legal matters or paying out judgments, costs orders in the past 12 months?

Ms FYLES: As you would be aware, some of those would be subject to confidentiality orders.

Mrs FINOCCHIARO: I am not asking for the breakdown, just as a whole.

Ms FYLES: Again, they are different agencies, not necessarily ours.

Mrs FINOCCHIARO: But in matters being handled by AGD.

Ms FYLES: Again, I come back to the fact we provide representation for different agencies, but they are not necessarily our matters.

Mrs FINOCCHIARO: So AGD do not—as the legal team on the matter, you must have an understanding of those costs even if your department is not the one paying them per se.

Ms FYLES: We would not keep a running tally. We would have to go back through every file to look at that. As I said, some of those matters are subject to confidentiality. It is not something that in the sense of what we do—we provide that legal advice and representation, it is not for us to keep a tally of what different agencies end up doing.

Mrs FINOCCHIARO: How many actions are currently pending where the action is pursuant to the *Mineral Royalty Act* or the *Petroleum Act*?

Ms FYLES: We are not deliberately not trying to block you—that would probably be a question better for that agency—how much have they spent on legal matters or what are they involved in is not for us to provide commentary or information on. We do not necessarily have it.

Mrs FINOCCHIARO: But if the lawyers are centralised at AGD and only five departments have SFNT staff seconded to them, then it rests with AGD. The Department of Primary Industry and Resources has presumably engaged SFNT ...

Ms FYLES: We act under the instructions of the agency that we are representing. The settlement payment would not come out of AGD; it would come from that agency.

Mrs FINOCCHIARO: That is right, but you would know as an agency how many matters you are running before the courts or how many matters you have been involved in that have settled.

Ms FYLES: If we are representing them we may be aware of that. As I explained we do not keep a running tally. It would be going back through file by file. But, what I am suggesting is that if that is the information you require, then it would be better to ask each agency specifically because they would have that detail. If they did not use representation from SFNT, for example, that would give you an incorrect response.

We provide the legal services. People come to us, we provide the lawyers and the representation, but we act under the instructions of the individual agencies.

Mrs FINOCCHIARO: Minister, what is the current status of the action *Sister Marie Brigid Arthur v Northern Territory of Australia NTD 34/2018*, brought to the Federal Court by the Legal Aid Commission?

Ms FYLES: That would be a question for Territory Families.

Mr WOOD: Minister, you mentioned that it depends where the department goes, but in the case of the Timber Creek native title claim, was that an area that you specifically were in control of?

Ms FYLES: Member for Nelson, could you repeat your question please?

Mr WOOD: Was your department responsible for the government's participation in the Timber Creek native title claim?

Ms FYLES: We did act in that specific case on behalf of—I think it is within the DCM, the Aboriginal Lands ...

Mr WOOD: DCM sent me back to you.

Ms FYLES: Did they?

Mr WOOD: Can you explain what the claim was about? Can you tell us what the cost was to the Northern Territory for that claim? Are there any other claims that may come into play since that one has been dealt with?

Ms FYLES: We do not have the specific Timber Creek information before us. It was a compensation claim. I am happy to take that on notice and provide you with that. It was an important test case. We participated in that leading government. I think I have the amount paid, but ...

Madam CHAIR: Do you want to put that on notice?

Mr WOOD: Yes, please.

Question on Notice No 4.2

Madam CHAIR: Member for Nelson, please restate the question for the record.

Mr WOOD: Can you say what role your department played in the Timber Creek native title claim? Can you explain what that native title claim was about? What were the legal costs of that claim? What were the compensation costs the Northern Territory Government will have to pay for that claim? Are there any other claims that will follow from this claim that the Northern Territory may be liable for?

Madam CHAIR: Minister, do you accept the question?

Ms FYLES: Yes.

Madam CHAIR: The question asked by the Member for Spillett has been allocated the number 4.2.

Madam CHAIR: Are there any further questions on Output 1.1?

Mrs FINOCCHIARO: I am interested in why that matter would be different to perhaps the case I mentioned earlier that you said would best be answered by Territory Families. Is that because your department does not have carriage of that matter and you are not the lawyers on it?

The Member for Nelson has spoken about an example and I asked you about the matter before the Federal Court on behalf of Don Dale detainees, and you referred me to Territory Families. Can you explain why you cannot answer that question but you can answer the Member for Nelson's?

Ms FYLES: With the native title claims being legal, we have had a lot to do with those versus the other one, a case with a specific government agency.

Mrs FINOCCHIARO: Your lawyers are not on that matter?

Ms FYLES: That is not what I said; I just said the question would be better for Territory Families. In regard to the native title question—over the years, AGD has had a lot to do with native title claims because they are mainly a legal issue.

Mrs FINOCCHIARO: Are not all matters before the court a legal issue?

Ms FYLES: Yes, but the basis of the previous question you asked me was specifically to a government agency, in this case Territory Families.

Mrs FINOCCHIARO: Why?

Ms FYLES: Because the legal action being brought against that involves the specifics of that agency.

Mrs FINOCCHIARO: Can you give us a status of the class action captioned *Dylan Riley Jenkins & Anor v Northern Territory of Australia NTD64/2016*?

Ms FYLES: As per my previous answer, that would be for Territory Families.

Mrs FINOCCHIARO: On the basis that whilst you are the agency providing the legal advice, Territory Families ...

Ms FYLES: In that case we are acting specifically under the instruction of Territory Families. In regard to the native title, because it is a complex legal matter we have been involved in that at many levels. This specific one was about a legal test case. I think you can see the difference there.

Mrs FINOCCHIARO: How many Fair Work Commission actions are currently pending against the Northern Territory Government?

Ms FYLES: That is a question for OCPE.

Mrs FINOCCHIARO: That is all my questions.

Mr WOOD: I think my question was the same as the Member for Spillett's, but I will ask it anyway. What was the final cost of the solicitor's involvement in the Royal Commission into the Detention and Protection of Children in the Northern Territory?

Ms FYLES: Member for Nelson, that was quite complex. It was not just our lawyers.

Mr WOOD: It was expensive too.

Ms FYLES: We are happy to take that on notice and provide what information this agency does, noting that DCM and, I am guessing, Territory Families would have a role.

Mr WOOD: I presume costs are shared.

Ms FYLES: Yes.

Madam CHAIR: Would you like to put that question on notice, Member for Nelson.

Mr WOOD: Thank you, Madam Chair.

Question on Notice No 4.3

Madam CHAIR: Member for Nelson, please restate your question for the record.

Mr WOOD: Minister, what was the final cost to the Solicitor-General's department involvement in the Royal Commission into the Protection and Detention of Children in the Northern Territory?

Ms FYLES: Do you want specifically our costs?

Mr WOOD: If you could provide both—it is supposed to be departmental, but if you could give us both that would be good.

Ms FYLES: Because there was both departmental and external costs.

Mr WOOD: Did we pay for the external costs? When you say external costs, was that because you had contract lawyers? If it is a cost that the Territory government had to bear, that is the cost I need to know.

Ms FYLES: Again, it is different agencies.

Mr WOOD: Sorry, the cost that your department had to bear.

Ms FYLES: We can provide our costs.

Mr WOOD: That would be fine.

Madam CHAIR: Do you accept that question, Attorney-General?

Ms FYLES: Yes.

Madam CHAIR: The question by the Member for Nelson of the Attorney-General is allocated the number 4.3.

Madam CHAIR: That concludes consideration of Output 1.1.

Output 1.2 – Legal Policy

Madam CHAIR: The committee will now consider Output 1.2, Legal Policy. Are there any questions?

Mrs FINOCCHIARO: I wanted to ask a question on the floor price given that this is a government policy. Can you provide the committee with an update on the effectiveness on the minimum floor price on alcohol since it was implemented in October?

Ms FYLES: Member for Spillett, I suggest that the question would come under Health under the evaluation of the harm minimisation plan.

Mrs FINOCCHIARO: Okay. So, all questions related to the floor price will be under harm minimisation?

Ms FYLES: Not necessarily, but (inaudible).

Mrs FINOCCHIARO: Given that you are the minister for both, I suppose you can answer them now or in Health, so it is really a matter for you. I have a range of questions. Would you like me to ask them all and you can decide whether you answer them now, or would you like me to hold them off until later today?

Ms FYLES: Perhaps (inaudible).

Mrs FINOCCHIARO: Okay. How can alcohol-related admissions and presentations to emergency departments be used as an indicator of the minimum floor price's effectiveness when it cannot be isolated from other Riley review recommendations that have been implemented? What about the unintended consequences of the floor price such as an increase in the use or abuse of alcoholic mouth wash with vanilla essence and some of those other products that we have heard about, and the cost to the community of the adverse health outcomes as a result of those substances?

Ms FYLES: That could potentially be under liquor licensing.

Mrs FINOCCHIARO: What do you mean, 'potentially'?

Ms FYLES: I am just trying to help you answer your question. You could ask ...

Mrs FINOCCHIARO: But all of these are your portfolios, minister.

Ms FYLES: And we are following a specific output group. Under regulatory compliance I am happy to respond to that.

Mrs FINOCCHIARO: Okay. When will the government release a comprehensive evaluation of the floor price?

Ms FYLES: That would be Health.

Mrs FINOCCHIARO: Okay, so questions around the review are to Health, fine.

In September 2017 the Northern Territory Government released a discussion paper on the modernisation of the *Anti-Discrimination Act*. Last year you said that changes to the act were a priority of yours and that an exposure draft bill was forthcoming. As of today we have not seen that. Can you give us an update on the government's plans?

Ms FYLES: Thank you for your question. We can all agree that Territorians want to live in a safe and inclusive community. We need strong anti-discrimination legislation in the Territory.

We can all acknowledge that the act is out of date and no longer reflects the needs of our modern community. It has not been reviewed since 1993, which was 25 years ago. There are a number of areas that have been identified within that—people living with disabilities, victims of domestic violence and people experiencing homelessness.

The biggest area of complaint in the last three years has been disability discrimination. We have spoken previously about the language in this—also enshrining the rights of our LGBTQI community. All Territorians want to see acknowledgement in the act.

We had public submissions for five months and that created a significant body of work for the agency. I do not have the figure in front of me but we received a significant number of submissions. From memory it was over 150. From that we have now worked up—and have in the Cabinet process how we take that forward. We acknowledge the *NT Discrimination Act* as a huge body of work and we look forward to progressing that.

Mrs FINOCCHIARO: Is there a time line when Territorians can expect to see the exposure draft bill?

Ms FYLES: I do not have that date with me. Cabinet has been looking at this issue and the complexities around it. There were also some reviews done in the federal space. It is quite is complex. We need to ensure legally we get it right, but we also need to make sure it reflects a modern Territory.

I am sure you can appreciate that we do not intend it to be, but it is an emotive and divisive issue, so we want to ensure that we give it the respect that we can.

Mrs FINOCCHIARO: Will the government re-commit to publishing an exposure draft bill rather than moving straight to introduction of a bill?

Ms FYLES: We have the scrutiny committee process, which is a step, but in saying that what we are seeing with the alcohol policy the *Liquor Act*, was the exposure draft was worthwhile. I cannot see why we would step away from that commitment and having that exposure draft bill. Even if people can agree on a concept they need to see how that is represented in a bill. That is why in this particular case an exposure draft bill is relevant. In some cases the scrutiny committee process is similar to an exposure draft bill, but in this bill it would be important to do the exposure draft bill.

Mr WOOD: The *Liquor Act* was given an exposure draft bill, which is beneficial. Are the submissions available for public scrutiny? If not why not?

Ms FYLES: I said it was over 150; it was 172 submissions or comments were received. We would have to go through them and contact the individual submitters.

Mr WOOD: Could I ask why this seems to be a variation in government policy when it comes to asking for submissions? It does not matter whether it is that issue, but there are cases when people have a submission and they see at the bottom that it will be public unless they do not wish it to be public.

In this case you tend to work in reverse, which means I do not get to see the submissions because a lot of people do not care and they will not write back. There is some lack of uniformity when a government asks for submissions in all departments. I would have thought the best way is to say, 'Your submission will be public unless you say otherwise'.

Ms FYLES: This issue particularly is divisive and emotive and we need to ensure that we provide an environment where people want to come forward and give us their thoughts. We do not want a bill which represents a certain sector, and we do not just want to tick the box in terms of consultation. We want to have meaningful consultation and we want to hear from people genuinely about what they want to see.

Mr WOOD: I am not saying that. Even as a member of parliament I could not get submissions for the RU486 debate, and they were summarised. Some people say they were summarised with bias. I worry that when a government asks for submissions—and I am a member of parliament, and the public also likes to get educated about other points of view—this tends to stop that openness and transparency that a government should work as the default, unless people who put in submissions say specifically that they do not want their submission made public. The way it is at the moment works in reverse.

Ms FYLES: Madam Chair, we have probably stepped away from the output groups.

As I have said, a lot of these issues are emotive and divisive. We have people who have very different views. I do not think it is responsible when submissions can be defamatory against someone and quite personal. We want to have a space where people can come forward and be comfortable in providing a submission, not that the submission will be used to create more angst in our community.

Madam CHAIR: Attorney-General, on that point, I am allowing a little latitude. I think the question did flow from the original question on the policy development. The answer now, I think, has been given, so we will move on. Are there any further questions on this output?

Mrs FINOCCHIARO: What consultation was conducted, and with whom, prior to the release of reforming the regulation of the sex industry in the Northern Territory discussion paper?

Ms FYLES: Again, an emotive issue in the sense of its name and title, but essentially what we are looking at in this space is safe workplaces and safer communities.

We are working on legislation reforms in this area. We had the Reforming the Regulation of the Sex Industry in the Northern Territory discussion paper and that explored the issues faced by sex industry workers, regulators and the wider community. It looked at the possible regulatory reform and we see a great variation of this across Australia.

Being a sex worker is recognised as a profession in the Northern Territory; however, they have no protection and minimal rights. As I said, we looked at it from the perspective of the safety of sex workers, but also our community, in terms of what we see in massage parlours particularly, has been an area of angst for community. There are no legal parameters around it. It is very hard to regulate. This is looking at what we can do in terms of decriminalising the model in the Territory for sex workers.

Mrs FINOCCHIARO: What consultation was done prior to the release of that discussion paper? You mentioned that you received feedback.

Ms FYLES: It is an issue that has been raised with me as I get out in the community. It has been raised with my colleagues. It was something that I think has been put in the too-hard basket for too long. As I said, we are looking at decriminalising and providing sex workers with a safe work environment. Not every part of government policy has to engage every Territorian, but for some people this is particularly important. As a government, it is our job to take this forward.

Mrs FINOCCHIARO: How many submissions were received?

Ms FYLES: My office has not been provided with that number. They are still being compiled and sent to us.

Mrs FINOCCHIARO: Would you be able to take that on notice?

Question on Notice No 4.4

Madam CHAIR: Member for Spillet, please restate the question for the record.

Mrs FINOCCHIARO: How many submissions were received on the Reforming the Regulation of the Sex Industry in the Northern Territory discussion paper?

Madam CHAIR: Minister, do you accept the question?

Ms FYLES: Yes.

Madam CHAIR: Thank you. The question asked by the Member for Spillett has been allocated the number 4.4.

Mrs FINOCCHIARO: Minister, will those submissions be released to the public?

Ms FYLES: Not necessarily. As I have said, this is a complex issue and I think partly it is due to the name and the nature. I have had confidential meetings with people and outreach groups about this. Many people are fearful that if we release this information—what we need to do is fully understand the issue to have a frank conversation. These groups, particularly, needed us to do that behind a closed door so that we could understand all those issues in looking at taking legislation forward. We have to keep that confidential and it has taken a period of time to build up those relationships. A summary of the submissions and the points will be provided.

Mr WOOD: I raised this yesterday with the Chief Minister. You have the Have Your Say way of asking people questions. You do not always use it—not you personally, but the government does not always use it. You would have received a letter from the Coalition Against Trafficking in Women Australia. They raised some really important questions about bias, especially in the document that was published through Have Your Say and also the questions.

I have some sympathy for those because when I read it, I felt that it was not neutral. There are other points of view on this important issue. I am just wondering who checks what goes out to see if it is a fair and reasonable document? In other words, so it does not lean to one side or the other. I will give you an example of what was in the Have Your Say document.

The Nordic Model, which CATWA has been promoting—they said in that document that it is retrograde. I would have thought that might be an opinion, but it is not something that should go in a document asking for people's views on this important matter. Is there a check by anyone in the department before those matters go out so there is an equal ability for people to look at that in an unbiased way?

Ms FYLES: We always try to be factual and fair and this is a very emotive issue. We have people on the complete opposite points of view and I would have people on the other side being critical of it. We try to be factual and fair. We put that out to consultation for seven weeks. We genuinely want to look at reforming this industry in the Northern Territory from the perspective of decriminalising it, providing worker safety. As emotive as it is on the journey, we try to be factual and fair.

Mr WOOD: That is right. I am just asking, when you put something on the Have Your Say site and you are asking for people's opinion—and here is a group of women in Victoria who have said that document was either not factual in some areas or it was biased. I agree with some of that because when I read it I thought, 'Hey.' In my letter, I also said the same things. All I am asking is do you have an independent person check those matters that go out on the Have Your Say site so they are fair?

Ms FYLES: I have people on the opposite side who would give a completely different point of view. We try to be factual and fair to encourage a discussion. This is an emotive issue. People are very passionate about it on both sides of the argument and they are pushing their view. When their view is not heard, they come back and say that it was not fair, that it was biased. Unfortunately it is up to people's perceptions but we try to be factual and fair.

Mr WOOD: It was not a perception. It writes in the first paragraph that the Nordic Model was retrograde. That is someone's opinion in whoever put it in the Have Your Say—someone has given their opinion of what they think of another person's opinion. I would have thought that someone needs to make sure that it does not start to give opinions and it starts with the issues and that is it—it does not make a comment on what one person believes or another. All I am asking is that someone checks it before it goes out to make sure it is fair and reasonable on both sides.

Ms FYLES: I have provided my response. We try to be factual and fair. It is a difficult issue to talk about. It is a recognised profession to be a sex worker in the Territory.

Mr WOOD: I am not worried about the issue in this case. I am making sure anything that goes on the Have Your Say site is fair and reasonable, and I do not think that was.

Madam CHAIR: We might move on. It is a statement of opinion. Are there any further questions on Output 1.2?

Mrs FINOCCHIARO: Last year you stated that you were working towards your election commitment of reviewing mandatory sentencing. Can you provide us with an update of what has been done over the last 12 months in terms of reviewing mandatory sentencing in the Northern Territory, who you have consulted to that extent and a time frame around when we might see a discussion paper or other consultation on this important issue?

Ms FYLES: We have been concentrating on reforms that stop crime: more police resources; investing in education and housing—those social determinants that we know drive crime and incarceration in the Territory. We acknowledge the justice and corrections systems and the reforms that are needed. I think you have seen that through significant work in the corrections space. That is continuing.

We have all acknowledged that things cannot keep going the way they are. An Aboriginal Justice Agreement is a really positive step forward. You will hear later about that significant work. We see an overrepresentation of Indigenous Territorians in our prison system. There are a number of issues.

In terms of mandatory sentencing, we need to consider that as we consider all aspects of the justice system, laws, sentencing, rehabilitation and diversion programs. It is a difficult issue to grapple with. We have been working on that in the prism of stopping crime before it happens and will continue to do so.

Mrs FINOCCHIARO: Thank you, Attorney-General. Is the government not really advancing on this election commitment? Is it just in a review process and is looking at other elements rather than specifically focusing on mandatory sentencing?

Ms FYLES: You cannot just look at mandatory sentencing in isolation. You need to look at the laws, sentencing, rehabilitation and diversion programs. Mandatory sentencing makes up a part of that. It is really important, and the community has an expectation that we stop crime and that it does not happen. But when it does, we have a fair and just system that is focused on victims. That is the work we are doing. It is not simple or easy work, but it is significant.

Mrs FINOCCHIARO: Who has been consulted about mandatory sentencing as you move through this process?

Ms FYLES: We have not had any specific consultations in that period of time. It has been more broadly in those areas that I have spoken about.

Mrs FINOCCHIARO: Will the community expect to see a discussion paper on this prior to the next election?

Ms FYLES: We have not decided on how we will progress that forward.

Mrs FINOCCHIARO: Will the government commit to—if it is moving forward with its election commitment on mandatory sentencing—publishing a discussion paper?

Ms FYLES: We will not lock ourselves into how we will do that. As I said, it is really important that we look at all aspects of the justice system, that we stop crime before it happens and then look at sentencing, diversion and rehabilitation, and mandatory sentencing is part of that. Of course we will work with the community.

Mrs FINOCCHIARO: Is the government walking away from its election commitment on mandatory sentencing?

Ms FYLES: I do not think we are walking away from our commitment, but we need to look at it holistically and make sure that what we do in this space has community support and that we are focused on those resources and measures to stop crime before it happens.

Mrs FINOCCHIARO: Are we likely to see any legislative amendments put to the parliament prior to the next election?

Ms FYLES: It comes back to the fact it is not just one thing that we can do; it is complex and part of a number of things, particularly with sentencing. As I said, we have been doing that significant work in the corrections space and in stopping crime before it happens.

Mrs FINOCCHIARO: But in terms of your election commitment on mandatory sentencing, will we see any legislation in the parliament before August next year?

Ms FYLES: We will see legislation on all of these aspects. We have put in place significant resources and measures to try to stop crime before it happens. One crime is one too many. We then need to make sure that our justice system backs up what community expects in terms of sentencing. We know we have high rates of reoffending in the Territory. It is 56% of our prisoners are repeat offenders. That is a significant number. It is looking holistically at our system and how we can stop crime.

Mrs FINOCCHIARO: You talked earlier about the development of an Aboriginal Justice Agreement. We know that the government has allocated \$1.1m per year to develop that. At last estimates you said it was a priority for you. When can we expect to see that agreement?

Ms FYLES: The Aboriginal Justice Agreement acknowledges the high rates of Aboriginal Territorians involved in our criminal justice system, but also in ensuring that they have access to a fair and just—we see a lack of Aboriginal Justices of the Peace. We have significant issues in terms of remoteness and regional centres. We have been doing a lot of work in this space.

We established the Aboriginal Justice Unit, which has done significant numbers of consultation across the Territory since the unit was established in July 2017. They have been around the issues impacting Aboriginal peoples' relationship with the justice system, whether as witnesses, victims, offenders or, as I was articulating, people just using justice services. I think that is over 120 consultations Territory wide.

It is important that what they talk about is represented and the key things that have been emerging have been culturally appropriate rehabilitation services and alternatives to prison. Support for leadership in the community and early intervention has been a big part of that.

It is those consultations and that information that has been used to draw up the content of a draft Aboriginal Justice Agreement. That draft agreement is expected to go to Cabinet in the near future. We will then do more consultation towards the end of this year. That final consultation will confirm and clarify the content, accountabilities and the partnership agreements.

It is really important that we see partnership, and we are starting to see that with some of the alternatives to prison sites. That will drive the deliverables contained within the agreement. I would expect later this year. If it is not finalised, the draft agreement will be out there. The reason I do not want to put a time frame on the final agreement is that agreement is very solid and it is based off a lot of work and evidence. We need to make sure that we consult with Aboriginal Territorians on that draft agreement.

Mr WOOD: I am trying to get my head around the Aboriginal Justice Unit. It says it has four aims: reduce the rate of Aboriginal incarceration; reduce the rate of Aboriginal recidivism; engage and support leadership within the Aboriginal community; and enable Aboriginal people to navigate and access the suite of services that exist within the Justice portfolio.

My first question is, why are you having an agreement, if this is what the aims have already been settled on? What is the purpose of the agreement if you have already set this up, given it already has its aims?

Ms FYLES: Member for Nelson, if it would be okay, Leanne Liddle leads that team. It would probably be appropriate for her to answer that question and talk it through?

Mr WOOD: Of course.

Ms FYLES: I would like to introduce Leanne Liddle, Aboriginal Justice Unit, Department of the Attorney-General and Justice.

Ms LIDDLE: I am the Director of the Aboriginal Justice Unit. As we have gone along the consultation process, we have identified that there are three aims, not four.

Mr WOOD: Which one has gone?

Ms LIDDLE: The incarceration and recidivism rates are combined, and the leadership issue has been the key focus of the justice agreement as well. The third one has been to ensure that Aboriginal people can get fair and just access to the services within the Justice portfolio.

Mr WOOD: I had not heard about an agreement. In the documents we have in front of us, it gives the aims, so I presume there has been an agreement. How did they get to the aims without having an agreement in the first place?

Ms FYLES: We have never had an agreement.

Mr WOOD: Someone must have organised it in the first place.

Ms LIDDLE: We had an interim reference committee where there were 13 members from non-government agencies, NAAJA, CAALAS and more, and the aims came through that process. As we have moved through the process, we have refined and identified that the focus needs to be on the three aims rather than four.

Mr WOOD: We talk about outcomes—it sounds inhuman sometimes when you talk about outcomes. Your aim is to reduce the rate of Aboriginal incarceration and reduce the rate of Aboriginal recidivism. Will you have an annual report and will you be able to provide us information in that report as to whether the aims you are putting forward, which are important—that you are achieving those aims?

Ms LIDDLE: That has been part of the discussion in the consultation, how we report on those outcomes and, now, three aims. That will form part of the draft agreement for discussion.

Mr WOOD: Do not get me wrong, but at the moment we do not have enough detail as to whether the AJU is actually achieving anything in relation to those important issues.

Ms LIDDLE: The purpose of the agreement was to provide an evidence-based model where we would provide best practice and evidence to achieve those outcomes and the strategies using best practice, the community voice and the capacity and efficiencies within government to do that. It has been quite a complicated and complex process where we have used a lot of information from our data and statistics unit. The Australian Bureau of Statistics has worked with us as well to make sure that information is as solid as a rock. We are relying on that information to drive those outcomes.

Mr WOOD: I do not want to get too far into Corrections, but is Corrections very much a part of what you are doing?

Ms LIDDLE: It is a key player, but I also have to emphasise that the other key focus is on restoring, embedding and empowering Aboriginal people in the leadership space. That is a priority just as much as reducing the incarceration recidivism rates.

Mr WOOD: I will certainly be interested in how it goes. Thank you.

Mr PAECH: Just following on from that, you were talking about communications and consultations. I just want to be clear that part of that was visits to remote communities to understand the complexities and desires of people in remote communities.

Ms LIDDLE: We did a total of 120 consultations across the entire Northern Territory. That is why it has taken us so long to do this. From memory, I understand that 80 of those were in remote or regional communities. We also then had a discussion paper internally in government. We are canvassing all the time. There are calls from people who have heard about the agreement and are waiting for the release of the draft.

Ms FYLES: Just to add to that, Leanne's team had repeated visits. It was not just coming in and ticking a box. I acknowledge their hard work. It has been significant right across the Territory. I keep a loose track of where they have been, but it is very genuine. We want to hear not only from people we always hear from; we really want to be outside the box on this issue.

Mr PAECH: Attorney-General, you have just prompted me to ask another question. Would this Aboriginal Justice Agreement fit in or work in with the local decision-making frameworks as well?

Ms FYLES: I will get Leanne to answer that one.

Ms LIDDLE: The local decision-making framework is fundamental to the responsibilities and core outcomes of the agreement. They are embedded within the agreement. We have seen that with some of the successes around the Groote Eylandt agreement and more.

Mr PAECH: Wonderful, thank you.

Mrs FINOCCHIARO: Can I just ask a question on consultation? When you are in remote communities, who is it that you are consulting with? Is it just the elders or Aboriginal legal providers or the broader community?

Ms LIDDLE: It is across the wider community. We have consulted with the Aboriginal community because obviously the impacts will be there, but there have been open invitations to everyone. We have had a wide range of people from the non-Aboriginal sector provide us—and attend those sessions. We have held general public sessions in the regional areas as well, with wide participation from non-government organisations, concerned individuals and more.

Madam CHAIR: Are there any further questions on that output, Member for Spillett?

Mrs FINOCCHIARO: No, thank you.

Ms FYLES: Can I just—I know it was not in this output, but are there any other questions for Leanne while she is at the table?

Madam CHAIR: Are there any further questions on the Aboriginal Justice Agreement?

Ms AH KIT: Leanne, I just wanted to make reference to the Making Justice Work campaign. It was quite integral in listing an Aboriginal Justice Agreement as number one for their six key asks. Is the ongoing engagement still there between the Aboriginal Justice Unit and those who were involved in the Making Justice Work campaign?

Ms LIDDLE: Yes. That organisation, NTCOSS, have been members of our interim reference committee the whole time we have been operating in this space.

Madam CHAIR: Outcome 1.2—we are still on legal policy. Do you have further questions?

Mrs FINOCCHIARO: Public submissions on the victims of crime reform discussion paper closed on 29 March. What is the status of this review? Will submissions be published and when can we expect to see legislation?

Ms FYLES: We are still collating all of the submissions and working through them.

Mrs FINOCCHIARO: I know that on the AGD website it says that submissions will be made public. Does that remain the case?

Ms FYLES: Yes, unless they have requested not to be.

Mrs FINOCCHIARO: The discussion paper on the victims of crime reform suggested that damage to property could be included in offences involving domestic or family violence, but not in other circumstances. Is there any consideration being given to allowing claims to property damage under Territory legislation?

Ms FYLES: The previous CLP government had started a review of the *Victims of Crime Assistance Act 2006* in 2013 but never followed through with that or never did anything with it. We are working through and seeing if that would be a part of it.

Mrs FINOCCHIARO: So nothing has come from or been developed since the closing of submissions in March this year?

Ms FYLES: Unlike the CLP, which dropped the ball, we are actually reviewing the submissions. We intend to make them—unless the submitters say no—public and we intend to make changes from this work.

Mrs FINOCCHIARO: Okay, so since March this year nothing really has been done?

Ms FYLES: That would be an incorrect assertion. We received a significant number of submissions ...

Mrs FINOCCHIARO: Do you know the number?

Ms FYLES: No, we do not have that figure before us.

Mrs FINOCCHIARO: Could I take that on notice?

Question on Notice No 4.5

Madam CHAIR: Could you restate the question for the record please, Member for Spillett.

Mrs FINOCCHIARO: How many submissions were made to the victims of crime reform and of those how many will be made public?

Madam CHAIR: Minister, do you accept the question?

Ms FYLES: Yes, thank you.

Madam CHAIR: The question asked by the Member for Spillett of the Attorney-General has been allocated the number 4.5.

Madam CHAIR: Are there further questions on Output 1.2?

Mrs FINOCCHIARO: In 2018 public comment was invited on a discussion paper concerning possible civil litigation reforms arising out of the Royal Commission into Institutional Responses to Child Sexual Abuse. What was the result of that consultation?

Ms FYLES: This is in relation to the National Redress Scheme—our government has always given in-principle support for this. I have attended meetings at a national level. We finalised negotiations with the federal government on 1 July last year and we wanted to make sure Territorians would have genuine access to the scheme. There were some complexities in the Territory's situation.

We changed legislation, the Limitation Amendment Bill, in 2017—if you can recall in parliament, Member for Spillett. The scheme has three main areas: access to psychological counselling; a direct personal response, such as an apology; and the potential for a monetary payment. Payments in each case will be assessed case by case. The institution responsible for the abuse will be required to pay the amount.

We wanted to make sure that in the Territory's context that access to those things was able to happen. We are not like the eastern seaboard, where there are lots of those services available. We certainly have worked very closely with the federal government on this.

Mrs FINOCCHIARO: I should have specifically mentioned, Attorney-General, particularly regarding recommendation 94, which was on property trusts—has there been any specific results from that part of the discussion paper?

Ms FYLES: Other elements of it were prioritised above that, and we are still working through that area of it.

Mrs FINOCCHIARO: How many submissions were received?

Ms FYLES: We do not have that figure.

Mrs FINOCCHIARO: Can I place that on notice?

Question on Notice No 4.6

Madam CHAIR: Member for Spillett, please restate your question for the record.

Mrs FINOCCHIARO: How many submissions were received on the discussion paper concerning civil litigation reforms arising out of the Royal Commission into Institutional Responses to Child Sexual Abuse?

Madam CHAIR: Minister, do you accept the question?

Ms FYLES: Yes. And further, government approved a revised model litigant policy designed to minimise the potential re-traumatisation of claimants and to avoid unnecessary adversarial responses to claims and to assist in identifying the proper defendant where required. We have done significant work in this space.

Madam CHAIR: The question asked by the Member for Spillett is allocated the number 4.6.

Madam CHAIR: Are there any further questions on Output 1.2?

Mrs FINOCCHIARO: On 22 October 2018 a draft charter of victims' rights was released. What is the status of that draft?

Ms FYLES: In regard to Territorians' interactions with the justice system, they want to know that victims are being put first. We released the victims charter for public consultation from October to December last year, and it clearly directs that every reasonable resource will be used to support the safety and welfare of the victims, their families and their property. Key principles were outlined in that the victims' rights come first; the safety and welfare of the victims and their families and property is our number one concern; access to services is simple, quick, coordinated and respectful; and the victims have a right to be heard by the courts.

We have taken that consultation, and I expect to make public announcements in the coming weeks on that.

Mrs FINOCCHIARO: In the form of formalising a charter?

Ms FYLES: Correct.

Mr WOOD: The Riley report recommendation 2.11.1 says:

The Northern Territory Government legislate to make it an offence for a person to operate or navigate a vessel with a breath or blood alcohol content above a prescribed minimum in a manner similar to the requirements of the Traffic Act in relation to vehicles.

As you are a great supporter of the Riley report, can you give us an indication of whether the government will accept this recommendation?

Ms FYLES: We have indicated our support for that recommendation, and that is a question for the minister responsible for transport. The act sits there.

Mr WOOD: I think I have moved from minister to minister, because I asked that yesterday of the Chief Minister.

Ms FYLES: In regard to the Riley review, I have been leading that work across government, but there are specific areas that do not fall within my portfolio. I have been working closely with those ministers, but that one sits with the minister for Transport.

Mr WOOD: You are the only person I have ever had to deal with regarding the Riley report, so I thought this question was ...

Ms FYLES: That is because I am super helpful.

Mr WOOD: No, because you are the Attorney-General and I thought this was a legal matter.

Ms FYLES: No, it sits under Transport.

Mr WOOD: My other question is, has the National Redress Scheme been completed, and what further action is now required?

Ms FYLES: Without wanting to be cheeky, I just provided the Deputy Opposition Leader with quite a detailed update.

Mr WOOD: Do not repeat it; that is okay.

Ms FYLES: I did outline quite a bit of detail to the member, but we have participated in that scheme. I have attended national meetings and we have made sure the Territory's perspective has been heard. We often see these national models developed around an east coast model where there is access to services. I have had many conversations with federal ministers on this. We are actively participating. I outlined a number of steps and am happy to provide those to you.

Mr WOOD: Apologies, Member for Spillett. Some people say when you are a bloke you can only do one thing at a time.

Madam CHAIR: Are there any further questions? That concludes consideration of Output 1.2.

Output 1.3 – Crime Victims Services Unit

Madam CHAIR: I now call for questions on Output 1.3, Crime Victims Services Unit. Are there any questions?

Mrs FINOCCHIARO: It was noted that the Ombudsman reported a significant number of complaints regarding delays in processing applications under the *Victims of Crime Assistance Act 2006*. How many complaints are you aware of in the past year and, pending the outcome of your review which we just talked about, what has been done to streamline this process?

Ms FYLES: The Victims of Crime Services Unit administers, amongst other things, the victims of crime financial assistance scheme under the *Victims of Crime Assistance Act*. The scheme is funded mainly by the victims levy but also by revenue collected from offenders whose victims have received a payment under the scheme.

We acknowledged, coming into government, that perhaps this scheme was not running as smoothly as it could in terms of providing that assistance to victims. That is complicated by the fact that often matters have to go to the courts and that delays things.

Ros joins me at the table now. The team has been working on improving the processes, restructuring the unit to increase efficiencies in the processing of that financial assistance and those applications under the act. They have been reporting directly to the Ombudsman.

I will ask Ros to answer that question in more detail. In the nine months to the end of March, there was \$2.4m paid to victims as well as money spent on associated assessment costs, such as medical assessments.

Ms CHENOWETH: We have been working with the Ombudsman since I came into the position in December 2016 because there were a lot of complaints during that period. I do not have the exact number of complaints in this financial year, but I know that it is a lot less than it was. It is only a handful, if any at all. That has definitely reduced over the period that we have been on restructuring the unit and increasing our efficiencies.

The number of applications that we have dealt with over that time has almost doubled and we have increased the output in terms of money paid to victims' assistance. We have undertaken a review and an audit of the division and we have been working with the Ombudsman and contributing to the review of the act that we discussed earlier.

Ms FYLES: Just to provide a figure, in the period up to March 2017, it was \$800 000 paid to victims. In that period to March this year, it is \$2.4m. The team have made sure that it is efficient and that access is there for people, hopefully. We have seen that increase and the number of complaints and we have been actively working with the Ombudsman's office on that.

Mrs FINOCCHIARO: Is the increase as a result of an additional number of complaints, given that more people are becoming victims of crime, or is it because you are able to process them better?

Ms CHENOWETH: We have been able to process a lot more. We have a backlog that we are working through and that is our next step. There is not an increase in the amount of applications but just in the amount that we are processing.

Mrs FINOCCHIARO: There is no increase in the number of applications, it is just your ability to—if you were to take the number of applications in this year compared to the previous 12 months, it would be the same number of applications?

Ms CHENOWETH: From memory, the amount of applications has slightly reduced in the last year or two. We received slightly less in this nine months than we did in the nine months from last financial year.

Mrs FINOCCHIARO: You might need to take this on notice. How many applications have been made to the Safe at Home, Safe at Home Clean Up and Resecure, and Business Resecure programs?

Ms FYLES: We can take that on notice.

Question on Notice No 4.7

Madam CHAIR: Member for Spillett, could you please repeat the question for the record.

Mrs FINOCCHIARO: In the past year, how many applications have been made to the Safe at Home, Safe at Home Clean Up and Resecure, and Business Resecure programs respectively, and how does that compare to the previous year?

Madam CHAIR: Minister, do you accept the question?

Ms FYLES: Did you just add Biz Secure to that?

Mrs FINOCCHIARO: Business Resecure.

Ms FYLES: We do not provide that scheme. That is through the department of Business from memory. But we will provide what we have and we hope to get that to you this morning.

Madam CHAIR: The question asked by the Member for Spillett of the Attorney-General has been allocated the number 4.7.

Madam CHAIR: Are there any further questions on Output 1.3, Crime Victims Services Unit?

Mrs FINOCCHIARO: How many victims of property crime have been made aware of these programs, for instance, are police or other first responders given the information to provide to victims at the time of responding?

Ms CHENOWETH: The clean-up assistance you are talking about—the safe at home and the clean-up assistance—my office manages the grants for that—for Victims of Crime NT and they provide that service but they are working closely—they co-locate in the same building as police and they have a good relationship with police.

If we get to our office, which deals with violent crime and questions about clean-up or anything related to home invasions and clean-up in security installs—we refer those to Victims of Crime NT. We have been working with our service providers to raise that awareness and VoCNT has been working in that space.

Mrs FINOCCHIARO: How many people are currently on the victims register and what is the increase in the past 12 months?

Ms CHENOWETH: I cannot give you the exact figure now. I think it was about 173 and it changes from day to day as offenders are released and people fall of the register. It has certainly increased over time. There was over 100 a couple of years ago and we have been working on increasing the awareness and understanding with other organisations that deal with victims to make them aware of their eligibility to go and apply to be on the register. I can give you that exact figure—the increase—if you would like that?

Mrs FINOCCHIARO: Yes, that would be good. I will take that on notice. Thank you.

Question on Notice No 4.8

Madam CHAIR: Member for Spillett, please restate the question for the record.

Mrs FINOCCHIARO: How many people are currently on the victims register and how does that compare to the previous year?

Madam CHAIR: Are you happy to accept that question, Attorney-General?

Ms FYLES: Yes.

Madam CHAIR: The question asked by the Member for Spillett of the Attorney-General has been allocated the number 4.8.

Madam CHAIR: Are there any further questions on Output 1.3?

Mrs FINOCCHIARO: Specifically in terms of the services at CatholicCare NT provide—how many victims took part in the free counselling services provided by CatholicCare NT in the past year? When does the grant to Catholic Care NT for provision of those services expire?

Ms FYLES: That is in relation to the counselling services. We will take that on notice.

Question on Notice No 4.9

Madam CHAIR: Can you restate the question please, Member for Spillett.

Mrs FINOCCHIARO: How many victims took part in the free counselling provided by CatholicCare NT in the past year and how does that compare to the previous year? When does the grant to CatholicCare NT for provision of those services expire?

Madam CHAIR: Do you accept the question, Attorney-General?

Ms FYLES: Of course.

Madam CHAIR: The question asked by the Member for Spillett of the Attorney-General has been allocated the number 4.9.

Madam CHAIR: Are there any further questions on Output 1.3?

Mrs FINOCCHIARO: Minister, last year we learned that the Safe at Home funding agreement is scheduled to expire on 30 June this year, has a new agreement been entered in to and if so, what is the value of that agreement and what services will be provided under it?

Ms FYLES: We have been doing significant work with Victims of Crime NT. We are looking at signing a one-year interim agreement with the aim of ensuring that the agreement we sign serves us in to the future. That would be a five-year agreement.

Mrs FINOCCHIARO: You are not looking to sign the five-year agreement by 30 June? Are you needing to extend it with a temporary measure?

Ms FYLES: We will extend the current agreement and then make sure the five-year agreement has everything.

Mrs FINOCCHIARO: Why is there a need for a temporary arrangement? Why can the final arrangement not be achieved by 30 June?

Ms FYLES: Part of that is a review of the services and programs with an aim to improve them and that has been worked at collaboratively with Victims of Crime NT.

Mrs FINOCCHIARO: It was foreshadowed last estimates that it was expiring this year. I do not understand why there needs to be a temporary arrangement. Has there been some hurdles? Has it been difficult to work through the needs?

Ms FYLES: It is actually the complete opposite. They have been partaking in an independent valuation recognising that there are some service gaps—and how can we improve that for Territorians? That is why we will extend the contract for a year, and based off that make sure that we sign a five-year agreement that meets the needs of the community.

Mrs FINOCCHIARO: Okay. Last year we also learned that two new positions were being created within Victims of Crime NT, one in Darwin and one in Alice Springs. It was said at the time that these new positions were to assist Territory Families with youth victim conferencing. How many victim conferences have been conducted since then by those new staff and how many of the participants have since gone on to reoffend?

Ms FYLES: We do not have the figure before us. We could get that figure, but you could also ask Territory Families. They will be taking over the agreement, which is my understanding.

Mrs FINOCCHIARO: I am just concerned that if I wait for Territory Families they will say they do not have it because it is not staff ...

Ms FYLES: We can get it.

Mrs FINOCCHIARO: I will ask it on notice, just for completeness.

Question on Notice No 4.10

Madam CHAIR: Member for Spillett, can you repeat that question, please.

Mrs FINOCCHIARO: Last year we also learned that two new positions were being created within Victims of Crime NT, one in Darwin and one in Alice Springs. It was said at the time that these new positions were to assist Territory Families with youth victim conferencing. How many victim conferences have been conducted since then by those new staff, and how many of the participants in those conferences have since gone on to reoffend?

Madam CHAIR: Attorney-General, do you accept that question?

Ms FYLES: Yes.

Madam CHAIR: The question that has been asked by the Member for Spillett of the Attorney-General has been allocated the number 4.10.

Madam CHAIR: Are there any further questions on Output 1.3?

That concludes the consideration of Output 1.3.

Output 1.4 – Criminal Justice Research and Statistics

Madam CHAIR: I will now call for questions on Output 1.4, Criminal Justice Research and Statistics. Are there any questions?

Mrs FINOCCHIARO: Attorney-General, have there been any changes in the way in which crime statistics are collected, reported or presented in the last financial year, including the manner in which they are presented on the crime stats website?

Ms FYLES: We collect the statistics; Police do the website. We are not aware of any changes.

Mrs FINOCCHIARO: It is the AGD statistics that are provided to Police to go on the website?

Ms FYLES: Yes.

Mrs FINOCCHIARO: The statistics presented on the Northern Territory crime statistics website is not a direct reporting of police statistics on offences?

Ms FYLES: It is a collaborative effort. It is generally the Police stats.

Mrs FINOCCHIARO: Sorry, can you expand on that? I know that it has become the norm in other jurisdictions that what is reported on the website is a direct reporting on police statistics on offences. So how are the Territory's police statistics, for the purposes of the website, collected?

Ms FYLES: The chief executive officer will provide a bit more detail for you.

Mr SHANAHAN: My understanding is that the stats unit collates all the data. They use the national standard classifications which are consistent across jurisdictions and we provide those statistics to Police. They publish those statistics on their website.

Mrs FINOCCHIARO: That is a unit within your department?

Mr SHANAHAN: Yes.

Mrs FINOCCHIARO: Okay, where are they obtaining those statistics from? Where is that information coming from to AGD?

Mr SHANAHAN: From IJIS or PROMIS.

Mrs FINOCCHIARO: Okay, thank you.

Mr WOOD: Minister, in relation to the BDR NT crime statistics, the Criminal Justice Research and Statistics Unit requires the statistics for that area. How far can you follow the statistics to see if a BDR person is receiving alcohol rehab so it can be seen if a person banned from buying takeaways has been the reason to attend a rehab course, and then if the rehab course has been successful?

Ms FYLES: You might come back at me with another question. The Banned Drinker Register is a simple point of sale intervention tool. Are they banned on that day or not? If somebody tries to breach their banned drinker order, which is what leads you to be on the BDR, they can follow that at an individual level. I am not sure if that answers your question.

Mr WOOD: I suppose statics are only statistics if they do not have a reason for existing. If you are going to say there are so many people on the BDR, and part of the reason we have the BDR is to get people to change their lives regarding the abuse of alcohol—if we cannot find out from people on the BDR whether the outcomes of being on the BDR has changed their life, then what is the use of the statistics if we cannot follow that person?

Ms FYLES: You can follow individuals and we know from the evidence that they are far more likely to comply with court orders and parole. We know from Police the percentage of individuals who breached a ban. We are aware of that. I am not sure if that answers your question. I do not mean to be evasive; it is quite complex.

Mr WOOD: Politics is always a great place for people to say what a wonderful thing the government is doing. I am used to that, but I sometimes think that if we are fair dinkum about reducing people's abuse of alcohol, and that the government has put forward that the Banned Drinker Register is one means of that occurring and you have put in ways that people can be rehabilitated, the statistics need to be more than just statistics. They need to be something that can be analysed to see whether—in the end the BDR is being done for a reason.

We are looking at outcomes from the budget perspective. The outcome I am after is—has the BDR changed people's attitude to alcohol? We keep turning people over on the BDR when they have run out of time. I think there is a time limit for which you can be on the BDR, from memory.

Ms FYLES: Correct.

Mr WOOD: I am just asking whether there is a more analytical process than just providing statistics.

Ms FYLES: It is complex. We know one alcohol policy will not solve issues. The BDR is one tool, and—I can point to examples with parole and court orders—people are far more likely to comply if they are on the BDR. There are people who try to breach the Banned Drinker Register. We know that because they try to purchase alcohol while they are on the BDR. We also know that if they come into contact with police it can provide some information for us. It is a relatively small percentage, in my understanding. The BDR is one tool to try to help people and stop the supply to alcohol to those who cause harm.

Mr WOOD: I know you do not have a lot of time, but the point is that if you introduce a scheme called the BDR, we need to know whether the BDR is reducing in numbers, which would be a way of saying that it is working. If it is reducing in numbers, are the people still on it repeated or are they new people?

Ms FYLES: It is complicated. There are a lot of different statistics. You can look at the total sales or breaches of sales. In terms of tackling alcohol, it is not one measure. In terms of the individual, which you bring it back to, it gives them a tool not to access alcohol because they will then cause harm.

Mr WOOD: I do not disagree with that, but I am aware of outcomes as part of the budget. You spend a lot of money on the BDR. Not from a philosophical or ideological point of view, but from an analytical or economic point of view, is the BDR achieving what it set out to do?

Ms FYLES: Yes. Health has done that evaluation. It was released last year in July and found that the Banned Drinker Register is working as intended.

Mrs FINOCCHIARO: Can I follow up on that? How many people on the BDR have accessed therapeutic services through Stringy Bark or elsewhere?

Ms FYLES: I do not have that information in front of me.

Mrs FINOCCHIARO: Will you take that on notice?

Madam CHAIR: Please restate the question.

Mrs FINOCCHIARO: How many people on the Banned Drinker Register have accessed therapeutic services or alcohol support?

Ms FYLES: It is probably more of Health question. Perhaps if you ask me during Health I can endeavour to answer it then. I think this comes to a point that the BDR is a tool designed to help people. It stops the supply of alcohol to people who cause harm. I can answer it in the Health space.

Madam CHAIR: We are not taking that question on notice; we are waiting for the Health space for it—for the benefit of Hansard.

Mrs FINOCCHIARO: How many people have not breached necessarily, but have tried to purchase alcohol and been rejected?

Ms FYLES: I have the figures month by month. For example, in March this year there were 440 245 transactions of alcohol sales, and there were 578 no-sales due to someone being on the BDR.

Mrs FINOCCHIARO: For March?

Ms FYLES: Correct. September, for example, was 484 122 transactions, and there were 726 no-sales due to someone being on the BDR. It certainly blocks the supply of alcohol to those people.

Mrs FINOCCHIARO: What is the most recent month you have there?

Ms FYLES: March, which I read out. The figures are fairly similar across the months. Some months there are slightly more alcohol sales.

Mrs FINOCCHIARO: How many people on the BDR have been taken into protective custody?

Ms FYLES: I do not have that figure; that would be police.

To be on the BDR, you have a banned drinker order. You have the BDR register, we know the four pathways for someone to go into the BDR so they can refer themselves, they can have the police or court. When police become aware of it is if police take someone into custody and they charge them with an offence, would that be a breach of their banned drinker order? That is when the police would become aware of it.

Mrs FINOCCHIARO: So you would have that data?

Ms FYLES: No, that would be police.

Mrs FINOCCHIARO: I am sure I have asked you in parliament a similar question and you have been able to answer it?

Ms FYLES: I am happy to take that on notice.

Question on Notice No 4.11

Madam CHAIR: Member for Spillett, please restate the question for the record.

Mrs FINOCCHIARO: You might need to help me with the exact wording.

How many people on the BDR have either been charged or taken into custody by police for a breach of the banned drinker order?

Madam CHAIR: Minister, do you accept the question?

Ms FYLES: Yes.

Madam CHAIR: The question asked by the Member for Spillett of the minister has been allocated the number 4.11.

Mrs FINOCCHIARO: Over \$5m has been set aside in this upcoming budget for the BDR. I have asked you in parliament about this, but I think Territorians find it quite astonishing that a system that is up and running can continue to cost in the order of \$5m per year.

Can you give a more specific breakdown on why \$5m is needed to run the BDR?

Ms FYLES: It is in a different output, but we are just ...

Madam CHAIR: Minister, if you would like to take it on notice ...

Ms FYLES: So it is a breakdown—just to help. In the 2017–18 actuals—the line item of Banned Drinker Register falls into regulatory services for Licensing NT.

Mrs FINOCCHIARO: I can ask it at 6.1.

Ms FYLES: How about you ask it there and I will see if I can get some information. I only have the high-level breakdown of employees and operational.

Mrs FINOCCHIARO: I want to know what the \$5.745m is going to cover.

Madam CHAIR: We might just park that one until that output. Are there any further questions on Output 1.4?

Mr WOOD: Minister, your department was part of what they call the youth data linkage study participation. I understand that participation looked at individuals who had allegedly committed offences as youths from 1 January 1997 to 31 December 2017, and that report has been completed. I understand it has now been handed over to the Menzies School of Health Research who will undertake a program of research to identify risk factors for young people in contact with the justice system.

As it says, this information will enable policy-makers to develop early intervention programs to improve youth justice outcomes. Has the Menzies School of Health Research program now been completed? Have you received the report?

Ms FYLES: I am not aware of that detail, nor should I be. It sounds like it is work done under Territory Families. We would have provided the IJIS information. That is where our role would have come into it. We would have provided that information on offences.

Mr WOOD: It was just one of your highlights in the annual report. I can ask Territory Families.

Madam CHAIR: Are there any other questions on Output 1.4? That concludes consideration of Output 1.4 and Output Group 1.0.

OUTPUT GROUP 2.0 – CORRECTIONAL SERVICES
Output 2.1 – Custodial Services

Madam CHAIR: We will now proceed to Output Group 2.0, Correctional Services, Output 2.1, Custodial Services. I note that the Minister for Territory Families has overall responsibility for youth justice under the *Youth Justice Act 2005*, the Attorney-General and Minister for Justice is responsible for Part 4 of the act relating to the Youth Justice Court.

We will take a five-minute break.

The committee suspended.

Madam CHAIR: The committee will now consider Output 2.1, Custodial Services. Are there any questions?

Mrs FINOCCHIARO: I should have said before, thank you very much to the AGD staff from the previous outputs. I know a lot of work goes into preparing for today and there is more work to come with the questions on notice. I thank the staff involved in Output Group 1.0.

Minister, how many people are currently under either a continuing supervision or detention order under the *Serious Sex Offenders Act 2013* and what are the arrangements for their supervision and/or detention?

Ms FYLES: We can get that figure. I do not have it before me. If the member could go on with her questions ...

Madam CHAIR: If we do not come back to it in the next couple of minutes we will put it on notice.

Mrs FINOCCHIARO: If you can get it, yes. Otherwise put it on notice. If a detainee or prisoner attempts to escape, does escape or commits a serious offence while in custody, what are the consequences for those three separate actions and who is responsible for determining those consequences?

Ms FYLES: Thank you for your question. There have been no escapes. There have been abscondments—there have been nine since 1 July. That is for things such as an escort to Alice Springs Hospital or Royal Darwin Hospital for example, or the work camps. If someone breaks the law in prison or whilst participating in those programs, they are subject to the law so police would be notified and they would potentially be charged. It is not for me to say. They are serving the time or sanction for what they have committed and then if they further engage in illegal behaviour that is a separate case.

Mrs FINOCCHIARO: So there would be no operational measures for Corrections? For example, if it was an offence conducted while in a correctional facility, is there the ability for Corrections to take steps perhaps to isolate the person, or some other measure?

Ms FYLES: I will hand to the commissioner, but absolutely. If someone breaks the law it does not matter where they are, they are held to account. In terms of it being in a facility, where there are operational implications, of course they will be taken into account. The commissioner can provide that detail.

Mr McNAIRN: Thank you, as the minister alluded, there are two separate things external to any prison facility. If anybody commits a crime they are subject to the law and prosecution. Within a correctional facility we have a range of sanctions including charges, misconduct reports, intensive management plans et cetera. So we can deal with both instances.

Mrs FINOCCHIARO: Can you give any examples of what might be in a management plan for example?

Mr McNAIRN: It depends on an individual's behaviour and what that individual has done. It would depend on how the regime was set. There can be restrictions we put against an individual based on risk.

Mrs FINOCCHIARO: But could you just give us—you do not have to give us specifics, as I am not talking about a specific case, but what might be some—does it involve curfews, isolation or incentives? I do not know.

Ms FYLES: Do you mean within the prison facility?

Ms FYLES: Yes, so when it comes to sanctions, what might they look like? What range of sanctions does Corrections have at its disposal?

Mr McNAIRN: We can elevate them through the classification levels dependent on the incident in that respect. As I said, we can charge them with an offence if they have committed one. We can breach them. We can put restrictions on their unlock hours or how they move in or around the prison, whether they are escorted or handcuffed et cetera.

Mrs FINOCCHIARO: Thank you. Given that the current agreement expired on 2 December 2017, what is the current status of negotiations over the Correctional Officer Enterprise Agreement, and when is that expected to be finalised?

Ms FYLES: OCPE leads that. We are involved in the sense that we are providing more resources to Corrections and we have been looking at the operating model that we work under, but an EBA is subject to OCPE.

Mrs FINOCCHIARO: Can you not give us a status on those negotiations or when you expect that it will be agreed?

Ms FYLES: It really is for OCPE. The commissioner could talk about the work that he has been doing in terms of the operating model, but that is a separate issue. The EBA is for the Commissioner for Public Employment.

Mrs FINOCCHIARO: That might be good because I wanted to ask about why the operational agreement is not being included as part of the EBA. If you could talk about the operational agreement.

Ms FYLES: Well you would never include an operational agreement in an EBA because that would tie you that. The operations of a hospital, a school or a prison, they need to be robust and agile to respond to the numbers of people, the types of programs, and those types of things. An EBA is, as we know, what people are employed to and they need to be negotiated separately.

In terms of the operating agreement, we acknowledge that Corrections has gone over budget for many years. We need to look at the high rates of reoffending and we need look at the prisoner cohort. That is why we have been doing that in-depth work on how we operate within our prisons.

Mrs FINOCCHIARO: My understanding was that the EBA and the operational agreement were being negotiated at the same time or concurrently?

Ms FYLES: They are being worked through at the same time, but they are completely separate to each other. An EBA, as I said, is an employment matter between an individual or a collective and their employer. An operating agreement is how we run—particularly when you look at schools, hospitals and prisons—those big facilities that need to have a tightly structured system, but you would never tie the two together.

Mrs FINOCCHIARO: What is the status of the operational agreement?

Ms FYLES: I should be clear that it is not an operational agreement, it is an operating model. It is the model for operating within that facility.

Mrs FINOCCHIARO: So what is the status of that?

Ms FYLES: I am happy to hand to the commissioner. There has been a lot of work done on the model that you would operate in a modern correctional facility, looking at the different prisoner cohort that we have in the Territory. I will hand to the commissioner to provide more detail.

Mr McNAIRN: Since my appointment last October I have been working extensively on trying to develop an operating model, measuring where we sat as a corrective services organisation, and using the experience or 33 years in public and private prisons—to develop an operating model that takes us into the future, deals with the over-incarceration of Aboriginal Territorians and addresses the criminogenic needs of the prisoner population.

I have been working with KPMG for the last six months, developing three different operating models which would fit in both correctional facilities. We have a draft report and are waiting for the final report, which will provide more detail on the likely cost for that model, and fleshing out what the operational model will look like for staff in prisons.

What I am trying to achieve is more time out of cell for prisoners, more opportunities for education and therapy, one-on-one services, programs, and a busy and purposeful prison day.

Mrs FINOCCHIARO: Have prison officers had input into the development of this model?

Mr McNAIRN: There has been extensive consultation and a strict governance structure that sits above this reform project. That includes the union; the reference groups in each of the two prisons; the working group, which I Chair; and the project control group, which the CEO Chairs. We have extensive union negotiation at all levels.

I have personally presented to the majority of prison staff and community corrections staff on where we are with the reform. Only this week, in fact yesterday, I presented to Alice Springs Correctional Centre and Community Corrections on where we are with the project and what the next steps are.

Mrs FINOCCHIARO: What is the cost of that review so far, and what is the projected cost to completion?

Ms FYLES: It is important that we do this work and have a correctional system that puts the safety and wellbeing of our community first, but also the staff and prisoners, and ensures we use taxpayer money wisely. We spent around \$0.5m on this work to date. It has been detailed, in-depth work. As the commissioner said, we have had representatives from the department working with the unions—United Voice, CSPU and NT Prison Officers Association.

It is about operational model procedures, policies, training and staffing ensuring our facilities operate safely and effectively.

Mrs FINOCCHIARO: What is the expected cost to completion?

Ms FYLES: The figure is around \$500 000 to date. We are happy to provide that when it concludes.

Mrs FINOCCHIARO: Is there a time frame in which you want that operational model finalised?

Ms FYLES: The commissioner has presented that detail to me. I have had conversations with my Cabinet colleagues and we can see in this year's budget additional resources for corrections to underpin this, so it is something the government is serious about. We want to see that in place in the second half of this year.

Mrs FINOCCHIARO: And you will make public at that time what the final cost of the review is?

Mrs FINOCCHIARO: Of course.

Mrs LAMBLEY: Specifically, what are you trying to change? What needs to be fixed?

Ms FYLES: Within our correctional facilities and corrections we have run over budget. We have relied heavily on overtime to run the staff in the prison. We want a model that ensures the safety of staff working in the prison. The prison officers do a very difficult job every day. We put them into certain situations and need to make sure they are resourced properly and that we have the most efficient model, acknowledging that taxpayer dollars go towards this.

Mr WOOD: In relation to the design of the building, when the building was being designed, it was based on a design that reduced the need for prison officers. Are there any areas of design in the building that could be changed to reduce the cost of maintaining the number of staff and the overtime that you have at the present time?

Ms FYLES: I think that is a really important point. We have a fairly new facility, I think it opened in 2014, and when we transferred across to that facility, I am sure the operating model was adapted but we did not take that opportunity to look at it with this new facility; a far more modern facility than the old one. That is what this does. We are re-aligning the staffing model to match the facility and to make sure that the taxpayer dollars we spend are being spent in the most efficient way, making sure we keep our staff and the prisoners safe and trying to reduce that budget overrun that we see each year.

Mr WOOD: Do there need to be any changes to the design which would improve the running efficiency of the prison?

Ms FYLES: We are not changing—particularly talking about Darwin, as obviously Alice Springs is an older facility—we are not looking at making these changes and then in turn having to make physical changes to the layout of those facilities. It is in fact the opposite. We are looking at the physical layout we have and how we can staff that.

We are looking—noting those with lower security—at what we can do with those facilities outside the wire and making sure that we have that suitable program around re-integration.

Mrs LAMBLEY: Why has there been an excess of overtime with the corrections system?

Ms FYLES: In terms of prison, it is a bit similar to a classroom. You have a base population every day and you have to maintain the staffing for that. It has not been looked at in that level of detail and it has relied on a relief pool to staff that. The commissioner can provide further explanation.

Mr McNAIRN: When I initially looked at the staffing profile for Darwin and Alice Springs, but particularly Darwin, there were significant variances in terms of how the relief factor is covered—the provision of escort services for example, or unplanned or unscheduled escorts that do not feature as part of the staffing profile. There were other elements of the relief factor which is built into your full time equivalent which was missing as well. That has contributed too overtime to cover those positions. I am in the process of trying to address that.

Mrs LAMBLEY: In Alice Springs, being a small town, you hear stories. One area that I am aware of is having prisoners in hospital. That is seen as a very costly—necessary but inefficient—use of staff. Do you have a breakdown of how much it actually costs every year to have prisoners in hospital?

Ms FYLES: We are looking at both Alice Springs and Darwin. Darwin essentially has a clinic within the facility. Alice Springs—what can be put in place that would save on those transports and escorts? There will be times when prisoners do need to be in hospital, so we are building that into the model going forward. There are always variations, but we know that people get sick and cannot turn up for work, so we have to fill that. Prisoners do need to be taken to court and hospital. We have to make sure that we build that into our base operating model.

Mrs LAMBLEY: Are you able to provide the figures on the cost of providing supervision of prisoners in hospitals over the last couple of years? Can I put that on notice?

Ms FYLES: Of course.

Question on Notice No 4.12

Madam CHAIR: Please restate the question for the record.

Mrs LAMBLEY: What has been the cost of having prisoners in hospitals across the Northern Territory over the last two financial years—as a comparison?

Madam CHAIR: Thank you, Member for Araluen. Minister, do you accept that question?

Ms FYLES: Yes.

Madam CHAIR: The question by the Member for Araluen of the Attorney-General is has been allocated the number 4.12.

Madam CHAIR: Are there any further questions on Output 2.1?

Mrs FINOCCHIARO: I want to go back to my question around the *Serious Sex Offenders Act*—has there been any information dug up?

You took on notice—you said you would get back to me.

Ms FYLES: No, we do not have that, sorry.

Mrs FINOCCHIARO: I do not want it to be missed.

Ms FYLES: This is in relation to the legislative changes that were made in 2012–13 to the *Serious Sex Offenders Act*?

Mrs FINOCCHIARO: Yes. I asked about how many people are currently under either a continuing supervision or a detention order under the *Serious Sex Offenders Act 2013*.

Ms FYLES: Currently there are four in custody and one on supervision.

Mrs FINOCCHIARO: What are the arrangements for that? When four are in custody, what does that mean?

Ms FYLES: Four are behind the wire. They are incarcerated.

Mrs FINOCCHIARO: In a detention facility?

Ms FYLES: In a correctional facility. Four—and as a part of being in prison that would be a part of their assessment. The commissioner can talk about security and safety of other prisoners and staff. Then there is one that is on supervision under that act outside the wire.

Mrs FINOCCHIARO: What type of arrangements are in place for supervision? When you say supervision what does that mean?

Ms FYLES: The court must receive an annual report setting out the treatment and management of a person subject to an annual supervision order and reviews the order on an annual basis.

Mrs FINOCCHIARO: What does it mean if they are outside the wire? Does that mean they are living at home, are they in the cottage?

Ms FYLES: This is someone that has committed an offence then they have served time for that offence, or whatever their punishment was. This is beyond that because they are perceived under that act to be in the community. There needs to be continuing supervision and it is whatever is set out by the court.

Mrs FINOCCHIARO: It is not behind the wire. It could be in the cottages or it could be ...

Ms FYLES: This is someone that previous to this act would be free to be in our community. There would be nothing. This act was brought in to ensure the post-release or post-finishing of whatever a previous sentence might be that there is continuing supervision. That varies as to the court order each individually.

Mr PAECH: Perhaps a better term is 'monitoring'.

Ms FYLES: It is a supervision order.

Mrs FINOCCHIARO: That is the technical term, yes.

Mr PAECH: It is a supervision order but it is a form of monitoring. They could be at home or whatever and it could be Community Corrections that do that. Is that correct?

Ms FYLES: Correct.

Mrs FINOCCHIARO: No necessarily though if you are in the cottage. That is not the same thing.

Mr PAECH: No, because it is not behind the wire.

Ms FYLES: I have to be very careful because it is one and it can be quickly linked to an individual.

Mrs FINOCCHIARO: Talking more broadly ...

Ms FYLES: It is difficult to talk broadly when there is one.

Mrs FINOCCHIARO: I am not asking you to speak about that person. More broadly if you were on a supervision order, where could you be? You could be in the cottages or you could be in the community.

Ms FYLES: The person is subject to a supervision order and the court is involved in that process.

Mrs FINOCCHIARO: I am trying to unpack that. If someone is on a supervision order in the cottages what does that look like? What type of physical environment is the cottages?

Ms FYLES: I think it is important to note, and I need to be really careful with my comments, that this is somebody who has committed an offence, been charged and come to the end of their correctional time. This is a continuing supervision order. The Attorney-General applies to the courts for that person to continue to be supervised. The courts set the parameters to that.

If they are in the cottages that is their place of residence, it does not necessarily dictate the level—the supervision order that comes under that is important.

Mrs FINOCCHIARO: That is fine. Separately, what are the cottages—when we talk about the cottages being behind the wire or not behind the wire, for everyday Territorians what does that look like? So you have behind the wire, which is the Darwin Correctional Precinct, and in front of it you have what?

Ms FYLES: They are monitored by Community Corrections regardless of where they live. It is difficult for me to talk about this without giving up identifying factors to an individual, but you have an act ...

Mrs FINOCCHIARO: I am not asking about any person. I am asking about what that physical—is it five houses with a white picket fence? What is it physically? We are talking about behind the wire and then not, what does the not look like?

Ms FYLES: In the Northern Territory we have a range of correctional facilities. We have the Darwin Correctional Facility which is a highly secure facility. We have the Alice Springs facility, which again is a prison as one would expect, and as one would probably see in the movies and on TV. We have work camps, which are a different facility and are designed for re-integration. On both those campuses of Alice Springs and Darwin there are other facilities that are used for different purposes that vary depending on what the needs are of Corrections at that time. But they are not cottages with white picket fences.

Mrs FINOCCHIARO: So can you explain then what they are? In Alice Springs what does the accommodation ...

Ms FYLES: Any member of parliament is welcome to visit the facilities and get a face-to-face briefing. That might be better than us sitting here trying to explain it.

Mrs FINOCCHIARO: I do not know why Territorians cannot know ...

Mrs LAMBLEY: This is for the public.

Mr WOOD: You can drive past the front gate and see them without going in. They are right at the front gate, the houses ...

Mrs FINOCCHIARO: I am not asking for myself.

Mr WOOD: I am just telling people who want to see where they are. You do not have to go to the prison, you can see them from the outside.

Mrs LAMBLEY: You are asking for the people of the Northern Territory.

Mrs FINOCCHIARO: Of the nine abscondments that were mentioned earlier, it was mentioned that some were abscondments from RDH and some were from work camps. Are you able to list all of the incidences of abscondment?

Ms FYLES: Correct, it is important to note for Territorians that this has come down significantly. In 2013–14 we saw 22 abscondments, and down to this financial year to date, we have seen nine.

One was from an escort at Alice Springs Hospital. One was from, I am presuming, an inpatient at Alice Springs Hospital. Three were from work placements in Alice Springs—what that means is people who have been deemed that they can participate in those Sentenced to a Job programs to re-integrate into our community. They have absconded from that. Two were from the work release accommodation at the Darwin Correctional Centre. One was from someone on administrative home detention. One was from the Datjala Work Camp.

It is important to note that these were abscondments and not escapes. We have just been talking about prisons and what people see on television. It is not people cutting a hole in a fence or digging a tunnel, these are people who have been deemed through the security classification to participate in these types of levels and to re-integrate into community.

Mrs FINOCCHIARO: How do you define ‘absconding’ as opposed to ‘escaping custody’?

Ms FYLES: Abscond versus escape is a technical correctional definition. I am happy for the commissioner to provide further detail, but it is certainly well known.

Mr McNAIRN: Just to make it clear the difference is that absconders are already in the community or in open work placements, who walk away from a work placement that they are in. Then we report that accordingly. On a lot of occasions the offender comes back. The difference between that and an escape is that an escape is defined as breaching a physical barrier—climbing over a fence, digging under a fence, slipping handcuffs or running away from a secure escort vehicle. That is the difference.

Mrs LAMBLEY: It is very confusing. Regarding their definitions, they are the same. They are the synonymous. I just looked it up. ‘Abscond’ and ‘escape’ mean the same thing, but I appreciate that for the purposes of the Northern Territory public service you have decided to differentiate.

Ms FYLES: I read out the figures previously. It is important that people have a perception that somehow we have a prison where there is a hole in the fence or some tunnel that sneak out of. It is not that. It is around re-integration. There are security classification processes around them. We know that when people are supported to re-integrate into the community, when they participate in Sentenced to a Job, they are far more likely to succeed at re-integration.

When the Territory has a 56% rate of reoffending, we have to do something. There is risk to it, but when you compare nine abscondments to the hundreds of people who participate in the work camps or Sentenced to a Job programs, it is an element of risk. Corrections puts in place every measure to reduce that. The security classification manual has been reviewed. We look at the classifications of individuals. We look at the routines around it. It is around that re-integration and stopping reoffending.

Mrs FINOCCHIARO: If a behind-the-wire prisoner was taken to a hospital and then got away, you count that as an abscondment and not an escape.

Ms FYLES: This is from the Report on Government Services. It defined these as different. It defines what an escape is and what an abscondment is.

Mrs LAMBLEY: Even though they mean the same thing, by definition.

Ms FYLES: The Report on Government Services, which we are all familiar with—it is important because the community needs to understand that it is not like we have two correctional facilities in the Northern Territory where people are escaping from. It is when people are outside that wire for various reasons that they are absconding from custody.

Mrs FINOCCHIARO: Has that always been the definition, these two ...

Ms FYLES: It is the definition that I have known for a long time.

Mrs LAMBLEY: They run away.

Ms FYLES: I think it is important in terms of community safety that people understand they are absconding and not digging holes and climbing under fences.

Mrs LAMBLEY: And not escaping, even though they mean the same thing.

Ms FYLES: That Report on Government Services has that definition.

Mrs FINOCCHIARO: If a prisoner has run away, to use a neutral term, from correctional officers whilst attending hospital—commissioner, I think you mentioned that if they remove handcuffs it would be counted as an escape. If I put the scenario as that prisoner X has gone to RDH, is being looked after by correctional officers and is in handcuffs. They then remove their handcuffs and run out of the hospital. Is that an escape or an abscondment?

Mrs LAMBLEY: It is all sounding a bit ‘yes, minister’, is it not? Abscond, escape ...

Ms FYLES: I take offence to that, Member for Araluen. We have to look back to that figure from when you were a minister of a government with 22 abscondments. We are not saying that the system is perfect, but we have reviewed the classification manuals and facilities; we are trying to have more things like healthcare on-site behind the wire to reduce the risk to community, but there is always a risk.

Sentenced to a Job and the work camps are part of those re-integration programs, but people are not ticking a box that they would like to go to Dutjala Work Camp. There is a rigorous process around it where people are assessed. Is it in the best interests of the community for them to participate?

Mr PAECH: So you are saying an escape is from an environment that has been purposely designed to hold a prisoner, and an absconding is from an environment that was not purposely built for a prisoner and is outside a correctional institution.

Ms FYLES: I was asked a question around abscondments. That was the question from the Deputy Leader of the Opposition. I presented that figure. The definition is in the Report on Government Services.

Mrs FINOCCHIARO: No one has answered my scenario. I think the commissioner mentioned that if you have that prisoner who has gone to hospital in handcuffs, but they are able to remove the handcuffs and leave the hospital and the care of corrections officers, is that an abscondment or an escape?

Ms FYLES: Sorry, I missed that question.

Mrs FINOCCHIARO: It was the same as the last one. I am just trying to get some parameters around how you count abscond versus how you count escape. The commissioner mentioned if you remove handcuffs—I am happy to be corrected if I have misheard you. If a prisoner is taken to RDH in handcuffs for the purposes of receiving medical attention, then they remove the handcuffs and then leave the hospital facility and the supervision of the corrections officers, obviously they have run away ...

Ms FYLES: That would be an escape. If they remove their handcuffs and attempt to leave, that would be an abscondment because they have not actually left.

Mrs FINOCCHIARO: They have left. They are gone.

Ms FYLES: That would be an escape.

Mrs FINOCCHIARO: That would be an escape.

Mr WOOD: I do not get too fussed over either definition. I am a supporter of work camps and a supporter of people working outside prison as much as they can. Regardless, they all are subject to disciplinary action, I presume, either absconding or escaping. That to me would be the key. Depending on the seriousness of the absconding, they could have nicked off for a cup of tea and forgotten to come back or he could have gone to see his girlfriend—or she is seeing her boyfriend. Each case would have to be taken on its merits, but I presume there is disciplinary action related to any absconding or escaping.

Ms FYLES: Correct. If somebody did that, they would be immediately reclassified and looked at in terms of that classification manual that I spoke about.

Mr WOOD: I remember when I visited my first work camp which is at Wyndham. Three strand, plain wire is the fence. The trust is that you will not step over that fence. No big barbed wire. They know they will end up in Fremantle. To me, that is putting some responsibility back on the prisoner. We are giving you the benefit of being in a work camp rather than a full prison. The definitions do not worry me. What worries me is how the system works. Each case should be taken on its merits.

Madam CHAIR: Member for Nelson, did you have a question?

Mr WOOD: Well there was a general discussion there ...

Mr PAECH: I think the Member for Nelson is asking if you are escaping or absconding—the consequences are different. One would be an extension of an existing time in a correctional environment and the other would be a new offence. Is that correct?

Mr McNAIRN: It is dependent on each case but the individual would be subject to reclassification, as the minister has already alluded to. They would be subject to police inquiry and potential prosecution for the act. Also, internal charges and disciplinary action would be taken against that individual.

Mrs FINOCCHIARO: The Member for Nelson or the Member for Namatjira mentioned that, depending on the severity of the absconding, does Corrections take into consideration what that person may have absconded for, as opposed to the fact that you have absconded?

Mr McNAIRN: We take every case like this exceptionally seriously. We look at the facts, we interview the prisoners, we look at intelligence, we look at post-incident intelligence and we make sure we feed that back into our inquiries.

Mrs FINOCCHIARO: What is the time frame for registering an abscondment or an escape? If the person has escaped RDH for an hour, for example, is that logged as an abscondment or is there a certain time frame that corrections use?

Ms FYLES: There is a crossover with police. Police are notified immediately. Then they face that disciplinary action.

Mrs FINOCCHIARO: For the purposes of your statistics, when do you count one? From what point? From the minute you realise they are gone?

Ms FYLES: We count abscondment as soon as anything happens.

Madam CHAIR: Any further questions on Output 2.1, Custodial Services?

Mr WOOD: Does the prison now have a general manager?

Mr McNAIRN: Yes, they do now have a full-time general manager by the name of Mr Francis-Jones. He took up the post about three or four weeks ago. He has now met with the unions and the staff and will be an exceptionally great asset for me in terms of moving forward with the reform project.

Mr WOOD: Minister, last year I think it was reported in the *NT News* that former Corrections Commissioner, Ken Middlebrook, was rejected from a senior Department of the Attorney-General and Justice role, which was a general manager. I think you said at the time that that position had been scrapped. Am I hearing right that—has a decision been made to re-introduce the position of general manager, and was Mr Middlebrook given the opportunity of filling that position as he was selected as the best person for the job?

Ms FYLES: We would not comment on the specifics of that individual. We need to make sure that we have a strong system and a staffing structure for significant correctional reforms that are been undertaken.

Mr WOOD: Was that job advertised as it was previously?

Ms FYLES: I am not aware of that detail.

Mr WOOD: How would I find out that detail? Can I put that on notice?

Ms FYLES: The commissioner is happy to provide some more detail.

Mr McNAIRN: The revised position of general manager was publicly advertised. All of the previous candidates were asked to reapply, so it was an open and transparent process.

Mr WOOD: Well, I will inquire further.

Madam CHAIR: I just wonder if this is the right output, as it is sort of an HR question and we are actually doing custodial services.

Mr WOOD: We did jump that general ...

Madam CHAIR: For me it is getting a little general, so I would rather not dwell on that.

Mr WOOD: Minister, in regard to women in prison, have all the recommendations made by the Ombudsman in his 2016–17 annual report been completed in relation to women in prison, referring more specifically to Alice Springs?

Ms FYLES: We certainly take those Ombudsman's recommendations very seriously. Unfortunately, women in prison is a growing cohort. The commissioner can talk about the measures he has put in place since he has taken over the role.

Mr McNAIRN: I have assessed the female population. We have, of this morning, 37 females in Alice Springs and 49 females in Darwin Correctional Centre. I have looked at the report you alluded to. There are a range of areas that are focused on improving the quality for female prisoners. That includes the regime and the programs we actually deliver there.

We have a third sector NGO that delivers excellent services in Darwin prison. I am looking to try to extend that to Alice Springs prison at the same time. I am focused on addressing the issues that have been raised. I also have a range of other initiatives that I am trying to push forward for female offenders.

Mr WOOD: Okay, thank you. Minister, in relation to prisoner employment programs. Why has the number of prisoners in paid employment dropped off considerably? In 2016—17 it was 72 and in the last annual report it was 33?

Ms FYLES: One of the tasks that the commissioner undertook, I think it was literally as he arrived, was on the classifications, making sure we are appropriately classifying people. Because, as we said before, that is important to our community safety. The commissioner has advised me that part of it is due to fewer positions being available.

The work we have undertaken is particularly about Aboriginal prisoners, noting that about 85% of prisoners are Aboriginal Territorians and working with Aboriginal organisations to create those pathways and structures that can lead to ongoing employment, hopefully once people leave incarceration.

Mr WOOD: Is this the Sentenced to a Job program?

Ms FYLES: Yes, it comes under that banner.

Mr WOOD: And it still comes under that banner now?

Ms FYLES: Yes. We are very supportive of that. The evidence shows that if people have employment post-prison, they are more likely to succeed.

Mr WOOD: Are you saying the numbers dropped off because there are not enough prisoners who could be classified as suitable for that program?

Ms FYLES: Correct—open classification.

Mr WOOD: Is that because there is a tightening of the classification?

Ms FYLES: The commissioner can provide more explanation. We have reviewed that classification manual.

Mr PAECH: What are the classifications? Can you go through the ones that currently exist?

Mr McNAIRN: Yes. We have maximum security, high security and medium security. Under the revised classification review we have low restricted, low and open.

The corrective services issue is that we have a significant blockage in the system, so we are not getting prisoners flowing through the system in regard to parole, detention, placements, camps, Sentenced to a Job

et cetera. About 43% of my population sits in medium classification, and about 21% or 22% of my population sits in the sex offender and murderer bracket.

Over 60% of the prison population are really stuck. I am not seeing the flow-through that I would like to see. Some of the work I have been doing since I took up my post is to reclassify and review the sentence management manual, and that has been before government for approval. The next stage will be presenting to my staff the key changes to the classification review to make sure they understand what their responsibility is following that review.

Mr WOOD: You may not have known there was a lot of publicity about a prisoner who escaped from a work camp at Nhulunbuy, and from that a ruling was made that people charged with a sex offence would not be allowed out.

Is it true that there is a range of sex offences—they are not all the same—and is any consideration made in relation to the seriousness of the offence and whether they would be allowed out?

Mr McNAIRN: I am quite clear on the direction I have been given from government, and that is that no sex offenders or murderers will be in the community. That is the direction I have taken and that is how it stands at this point in time until I am advised otherwise.

Mr WOOD: I understand that when you say ‘sex offender’ it sounds very scary, but in some cases it could be a one-off offence that happened many years ago, and that prisoner is not what you would call a perpetual sex offender, but just someone who was silly and did something he has to pay the price for. All people who are called a sex offender are classified exactly the same when it comes to whether you can leave a prison for work or not.

Ms FYLES: This is a difficult space, but we need community support for the re-integration of people to stop reoffending and to set them on a better track. I believe the community has an expectation, and that expectation is that those offences are not part of these programs at this point.

Mr WOOD: I understand that, but it is a blanket political decision—I say that in the nicest way—where it is not always taking into account the actual person; it is just a category. Nobody looks at the category and says they are not all the same.

It is the same with the offence of the person at Nhulunbuy. It think that was a sudden decision. I will move on.

Madam CHAIR: Member for Nelson, the Member for Araluen has waited for a while and I am conscious of that.

Mrs LAMBLEY: With the separation of youth justice out of Corrections, I am interested in how the Alice Springs Youth Detention Centre within the corrections precinct and Corrections work together. There are many instances of violence and problems of a critical nature that happen within the Alice Springs Youth Detention Centre and, at times, the correctional officers assist with those instances. They have in the past. I am wondering what relationship you have in terms of working together and assisting each other during those critical incidents that seem to occur quite often.

Ms FYLES: Member for Araluen, we provide laundry and food catering to the youth facility and that is it. We do not provide assistance.

Mrs LAMBLEY: It was around the Alice Springs show time last year, so this time last year, that there was a major critical incident at the youth detention centre, which I know is not within your portfolio responsibility. Correctional officers came across to assist during that riot. I wonder what the relationship is. Are you telling me that there is no relationship to assist?

Ms FYLES: We have no jurisdiction within the youth facilities. That has been enshrined in legislation.

Mrs LAMBLEY: So corrections officers will never come across during a critical incident or riot at the Alice Springs Youth Detention Centre to assist those ...

Ms FYLES: That would be a matter for police. We do not have the legal jurisdiction to go into that facility.

Mrs LAMBLEY: Not even to come across and be there—nothing? So they are on their own even though your neighbours—I mean, the youth detention centre is physically located almost in the centre or on the periphery at least of the prison.

Ms FYLES: Like I said, we provide laundry and food catering and do not assist. We do not have the jurisdiction to.

Mrs LAMBLEY: That is it—laundry and food. That is fascinating. Thank you.

Mrs FINOCCHIARO: I want to ask about classifications. I think it was last year that there were some escapes ...

Ms FYLES: Abscondments—there have been no escapes. I just want to make that clear.

Mrs FINOCCHIARO: ... or abscondments from the cottages, which you refuse to explain. Minister, I think you then called for that classification review. What I am hearing today is that—I guess I will get you to explain the classification review. Was it a reclassification of prisoners and whether or not they are in the correct classification or was it actually a review of the classifications themselves? They are quite distinct things.

Ms FYLES: There were two things that were undertaken. We comprehensively reviewed the classification manual, which dictates the classification of people within correctional and custodial sentences within the Territory.

Mrs FINOCCHIARO: So that is maximum, high, medium, low, restricted, low and open.

Ms FYLES: The commissioner can provide further explanation on that. On that specific incident, he audited everyone who was in that facility to see if it was suitable.

Mrs FINOCCHIARO: So he audited everyone in the facility as against the new classifications?

Mr McNAIRN: At the time they were the old classifications. The new classifications have not been implemented yet. I need to brief my staff first before I make it public to anyone else. Once I do that I will set a date for when we start the reviews. Essentially, we will move to the new classification model. When the changes have been made we will then go through the review with all those individuals again, which will take some time.

Mrs FINOCCHIARO: Back at that time all prisoners were reviewed as against the existing classifications scheme.

Ms FYLES: There were two things that were asked to be done. It was when the commissioner started. I said that I wanted him to look at our classifications manual, which is the *Bible* to classifying prisoners in the Territory, and review it. That work is ongoing. The commissioner will be working with his staff on the finalisation of that and the implementation. Secondly, in the wake of that incident, everyone in that facility was audited to see if there were any ...

Mrs FINOCCHIARO: If they were in the wrong classification. Going back to that group, the prisoners at the time, were any reclassified as a result of that review?

Ms FYLES: That is very operational. In the wake of any incident, episode or whatever you want to call it, we see if there are lessons we can learn immediately. We do not have that detail before us.

Mrs FINOCCHIARO: You must have that detail though.

Ms FYLES: It is very operational. We have over 1000 people in correctional facilities.

Mrs FINOCCHIARO: An incident occurred and as a result you ordered an immediate review of the classifications. As a result of that, was there actually a need, or was the status quo maintained and it was not an issue of classification or whatever other issue it might be?

Ms FYLES: It is a very operational matter. We do not have that detail before us today.

Mrs FINOCCHIARO: Could you take it on notice?

Ms FYLES: I do not believe it is appropriate. It is an operational matter in terms of our facilities.

Mrs FINOCCHIARO: You ordered a review and you are not going to ...

Ms FYLES: When you order a review, I need to be clear of that ...

Madam CHAIR: I am wondering where this is budget related. It is an operational matter; however, if the minister wanted to take it that is fine. There is also the option of an external briefing outside the process that we are here today for.

Ms FYLES: We just do not talk about the classification of prisoners. The next thing, I will be sitting here—we have hundreds of hundreds of prisoners and you will be asking me, ‘Has person A gone to this classification?’ We have confidence in the Corrections Commissioner and the process ...

Mrs FINOCCHIARO: No, I am not talking individuals or the people ...

Ms FYLES: You are asking if people have been reclassified.

Mrs FINOCCHIARO: I am absolutely not. If there were a thousand people reviewed, how many, if any, were reclassified? It might be five out of a thousand or zero out of a thousand.

Ms FYLES: It was not the question you asked me. You asked me if anyone was reclassified.

Mrs FINOCCHIARO: I am not asking for the person. I am saying were there any reclassifications. Of the whole group, did any have to be reclassified as a result of that review?

Ms FYLES: I do not believe it is a question under this output, Madam Chair. I believe we provided quite a lot of detail on the significant work that is being undertaken so that Territorians have confidence within the correctional facilities. It is not relevant—the classification of individual prisoners.

Mrs FINOCCHIARO: Just for clarity, I am not asking for information about the classification of individual prisoners.

Madam CHAIR: I am wondering how this is budget related?

Mrs FINOCCHIARO: I am wondering why the minister will not answer the question, but she is not going so I will move on.

Madam CHAIR: Member for Spillett, the minister made it quite clear that it is operational. You could have a briefing. Let us move to the next question.

Mrs FINOCCHIARO: I do not need to have a briefing because this is a public process.

Ms FYLES: I think it is really important that we talk in this space, because what we have is an opposition that likes to scaremonger and create a perception for Territorians that somehow there is a security risk. I think it is really important that Territorians understand that significant work has been undertaken and significant investment by this government. You have to go back to those figures. In 2013–14 when you had 22 abscondments and two escapes under the CLP government. I do not like it when you ask ...

Mrs FINOCCHIARO: Who is being political now, minister?

Madam CHAIR: Order!

Mrs FINOCCHIARO: I am absolutely not scaremongering. I am asking a very simple and straightforward question. If you do not want to answer in your capacity that is fine.

Madam CHAIR: Member for Spillett, I have made it quite clear.

Mrs FINOCCHIARO: But do not try to turn this around like some sort of scaremongering activity by the opposition. You sought a review and I am asking questions on the review. You do not want to answer it? Totally a matter for you, minister.

Madam CHAIR: Member for Spillett, may I remind you we are here for the budget and we are not here to be adversarial or debate.

Mrs FINOCCHIARO: It is the minister who cannot let go of something that happened three years ago ...

Madam CHAIR: Member for Spillett, I will ask you again to pull back to questions under Output 2.1 related to the budget. Do you have any further questions on that output?

Mrs FINOCCHIARO: Of course I do. Minister, what are the present numbers at Darwin Correctional Facility and the Alice Springs Correctional Facility?

Ms FYLES: The commissioner read of those before and I can ask him to read them again.

Mr McNAIRN: At Darwin Correctional Facility we have 1048 prisoners as of this morning; at Alice Springs, 556 as of this morning; at Barkly Work Camp, 50 prisoners as of this morning; Datjala Work Camp, 45 prisoners as of this morning; and police prisoners were two.

Mrs FINOCCHIARO: Did you mention Tennant Creek work camp?

Mr McNAIRN: Barkly has 50 and Datjala has 45.

Mrs FINOCCHIARO: Given that prisoner numbers are rising—are prisoner numbers rising? Is that a fair statement? On last year ...

Ms FYLES: Not compared to last year, but we know in the Territory that we have seen over many years rates of incarceration grow. We know there are two factors, that there is a higher rate of Aboriginal Territorians and a high rate of reoffending and recidivism.

Mrs FINOCCHIARO: When you say not compared to last year, what do you mean? There was not growth in the prison system compared to last year?

Ms FYLES: When you compare figures year on year, we have not seen ...

Mr McNAIRN: A slight reduction ...

Ms FYLES: A slight reduction, but that is one year. We are not going to be crowing about that from the rooftops, because what we have seen over the decade—the Member for Nelson has been at these estimates and asking questions, we have seen a significant increase in the number of Territorians incarcerated.

Mrs FINOCCHIARO: I think it was mentioned, 53% of prisoners are repeat offenders, is that ...

Ms FYLES: It is 56%.

Mrs FINOCCHIARO: What focus is being put on addressing recidivism?

Ms FYLES: That is a significant focus for this government because it is about community safety. We want to stop crime before it happens. That is why we have invested in police. That is we are putting in place significant alcohol reforms, because we know the basis of many crimes is alcohol. That is why we are committed to generational change. People laugh at that and we have certainly had our debates about it, but it is about investing in children.

We know the figures. If you invest when people are young, in the first two years of life, it is a significant economic and social benefit in the long term. That is why we are investing in housing, health and employment opportunities in the bush.

Mrs FINOCCHIARO: With respect, minister, I am asking specifically about corrections. For example, skills training, work experience, Sentenced to a Job, prison industries ...

Ms FYLES: You asked me what we are doing. We are trying to stop crime before it happens. In terms of reoffending, we have programs in place to reduce incarceration and break that cycle of reoffending ...

Mrs FINOCCHIARO: But when you have someone within your—I mean, you would not even answer questions in the same portfolio in advance of the output, so I would hate for you to have to answer questions on a whole-of-government position.

I can ask a much more specific question: what investment is the government making in the Sentenced to a Job program?

Ms FYLES: I am not sure what questions you are referring to. We answer any questions under the output. If you get the outputs wrong that is not our ...

Mrs FINOCCHIARO: That is right. Specific to the outputs. So now you are giving broad, general, whole-of-government answers about zero- to two-year-olds.

Ms FYLES: You asked me a question about what we are doing to stop rates of incarceration.

Mrs FINOCCHIARO: That is right, we as in corrections. We are in Output Group 2.0, Correctional Services.

Ms FYLES: And you asked me what we are doing.

Mrs FINOCCHIARO: Recidivism in the corrections portfolio. I am asking specifically about Sentenced to a Job, prison industries and different projects prisoners can get involved in.

Ms FYLES: You asked what we are doing to stop the rates of incarceration and reoffending. I think it is important to note that you need investment to stop crime before it happens. When people do the wrong thing and they are punished by a court to a period of incarceration, there are the programs there to help them to break that cycle of reoffending, such as Sentenced to a Job.

Mrs FINOCCHIARO: That is what I am asking about. Can you go through the programs and the budget allocated to them please?

Ms FYLES: There are a number of programs. There is Sentenced to a Job, therapeutic programs, prisoner education and training programs.

Mrs FINOCCHIARO: Yes, all of those. If you could just tell me the dollar figure next to each of them.

Ms FYLES: It is broken down into essential services and external services, but I am happy to read through those figures.

In terms of Alice Springs Correctional Centre essential services, it is around \$3.5m.

Mrs FINOCCHIARO: What would be an essential service?

Ms FYLES: Laundry, catering ...

Mrs FINOCCHIARO: No, laundry and catering are not helping reduce recidivism.

Ms FYLES: You asked for a breakdown around correctional industries so that is people participating in those programs. Jobs within the prison.

Mrs FINOCCHIARO: That is the jobs component, not the fact that the prison has to do laundry?

Ms FYLES: Correct.

Mrs FINOCCHIARO: Okay.

Ms FYLES: They still get qualifications in those positions.

Mrs FINOCCHIARO: Okay.

Ms FYLES: This comes back to the point we were talking about before where some people are classified to be able to go out into the community and others are classified not to do that which means they need to participate in those programs behind the wire.

Mrs FINOCCHIARO: So, laundry and catering opportunities for prisoners ...

Ms FYLES: Canteen, gardening, waste management, those types of things.

Mrs FINOCCHIARO: At the facility?

Ms FYLES: Correct. Then external is around \$2.5m and that excludes community support work programs—that is, correctional industries. That is for Alice Springs.

Mrs FINOCCHIARO: What are some of the examples of the correctional industries for Alice Springs?

Ms FYLES: They do metalwork, joinery, number plates—you can see them all when you visit the facility. They do the Qantas earphones, they re-bud and repackage them. You learn something new every day.

We do not simply change someone's classification just so they can participate. We have to find those programs to match their classification.

Mrs FINOCCHIARO: Continue on with the programs, thank you.

Ms FYLES: They were the Alice Springs figures. Darwin Correctional Centre essential services is around \$7m. External in Darwin is around \$2.5m.

Mrs FINOCCHIARO: What does that include?

Ms FYLES: Exactly the same as I what I talked about before, but I gave you the Alice Springs breakdown and then the Darwin breakdown.

Mrs FINOCCHIARO: Exactly the same industries—metalwork, Qantas earphones, number plates?

Ms FYLES: They do not do number plates in Darwin.

Mrs FINOCCHIARO: In Darwin, what are the external industries?

Ms FYLES: Wheelbarrows for Bunnings, and fencing. It provides prisoners with vocational training skills and employability skills. It is also aimed to reduce boredom. We all know that when we have done something meaningful in our day—it is important as part of people's rehabilitation. The income generated from correctional industries is used to offset the cost of operations. As I said previously, we try to find pathways for prisoners.

Mrs FINOCCHIARO: What is the budget allocation to external?

Ms FYLES: For Darwin?

Mrs FINOCCHIARO: Yes.

Ms FYLES: It is \$2.3m.

Mrs FINOCCHIARO: Then there are your other programs, for example Sentenced to a Job. Where is prisoner mowing included?

Ms FYLES: The work parties go out and care for the pensioners' yards, they do events ...

Mrs FINOCCHIARO: Is that an external?

Ms FYLES: We spend about \$3.5m across Darwin, Alice Springs and Barkly.

Mrs FINOCCHIARO: For community support?

Ms FYLES: Yes. It is estimated that the potential savings to the community is around \$2.5m.

Mr PAECH: Are the inmates remunerated for doing that work?

Ms FYLES: Yes. It is part of the programs, remuneration.

Mr PAECH: Before an inmate is released, is there financial counselling, considering that they have built up possibly revenue or money in their account?

Ms FYLES: Yes. Financial management and budget planning.

Mr PAECH: Is it offered before they are released?

Ms FYLES: Yes. I think across Australia, the acknowledgement of transition from prison incarceration into the community is something we can do better. Providing people with more support and working with NGO pathways. I know in the health space—there has been a lot of work with people, when they are incarcerated and are quite healthy, and they are able to deal with (inaudible) abilities. How do we continue that? I have attended sessions on that, how they can continue that working with the Aboriginal medical services.

Mrs FINOCCHIARO: What is the budget allocation for Sentenced to a Job?

Ms FYLES: It is all mixed in with those. That is the advice I have.

Mrs FINOCCHIARO: Where would it be mixed in?

Ms FYLES: With those figures I read out. That is my understanding.

Mrs FINOCCHIARO: But it would not be part of essential services for either Darwin or Alice Springs. Is it mixed in with external industry?

Ms FYLES: We can get that for you.

Question on Notice No 4.13

Madam CHAIR: Member for Spillett, please restate the question for the record.

Mrs FINOCCHIARO: What is the funding allocated to the Sentenced to a Job program for 2019–20?

Madam CHAIR: Minister, do you accept the question?

Ms FYLES: Yes.

Also, to clarify, for community support work programs those figures are different. They are excluded from those first figures I talked about.

Madam CHAIR: The question asked by the Member for Spillett of the minister has been allocated the number 4.13.

Madam CHAIR: Are there any further questions on Output 2.1.

Member for Spillett, the Member for Nelson has an additional question.

Mrs FINOCCHIARO: On that same line of questioning or different questions?

Mr WOOD: You covered a fairly wide range. I have some on work camps and some on industries.

Madam CHAIR: For clarification, do both of those areas sit under this output, minister?

Ms FYLES: Yes.

Mr WOOD: Minister, in regard to work camps and I will lump these three questions together. What is the recidivism rate for prisoners in work camps and how does that compare with the main prison? What is the cost of keeping a prisoner in a work camp compared to the main prison? Are there any plans to build more work camps for adults considering the adult prisons are full—and I particularly highlight what has happened to Mataranka Station in relation to that possibility.

Ms FYLES: They are important questions that you have asked, Member for Nelson. That work has not been undertaken. Since the commissioner has come on board there has been significant work done in Corrections. We have spoken about some of those items today.

That would be worthwhile doing. It has been a matter of priority—but we take on board your questions and the fact that we cannot answer them is potentially something into the future that would be worthwhile for the community.

Mr WOOD: You hardly answer anything about Mataranka Station. Is it still a place that has a possibility of being a work camp or a training centre?

Ms FYLES: We have the existing facilities. We have capacity Datjala and Barkly. We would like to see those fully utilised. It is a significant cost for us to have a more facilities.

Mr WOOD: Mataranka would be more a training facility because it is a cattle station.

Ms FYLES: It is still significant costs and we need to balance the use of taxpayer dollars, but we have capacity at Barkly and Datjala so we would not be looking to that.

Mr WOOD: I am happy for my taxpayer money to go in to Mataranka Station to train Aboriginal people.

Ms FYLES: I have taken note of your specific request that the Member for Nelson's money is to go there.

Mr WOOD: In relation to prison industries—you probably expected this to come—horticulture in the Holtze Prison. Holtze Prison was planned—because I was involved in the siting of it where it is and there was plenty of room for agriculture and horticulture—and a couple of years ago—there are some beautiful pictures in your annual report of chillies, pineapples and nursery products growing there. Can you say what the state of the garden is now?

How many people work there compared to previous years? Is produce still sold outside the prison and if not why not and is at least some produce grown for the prison itself? Are you still selling produce outside the prison or has that been stopped?

Ms FYLES: I will hand to the Commissioner to talk about the pineapples but the last time I visited that area ...

Mr WOOD: And the chillies?

Ms FYLES: I am not sure about the chillies. I do not remember seeing them. It might have been the wrong season. I will hand to the commissioner.

Mr McNAIRN: I have never seen the chillies but I will now endeavour to try to hunt them down. I cannot say we have extensive ground parties out there cutting the grass and managing the horticulture. We do have a pineapple plantation there.

This is part of the focus for me the way of part of reform. I want to see more prisoners in this area in terms of horticulture and getting trained up. I want to see more prisoners in work camps. I want to see the work camps potentially double. I want more people in the community obviously risk assessed and supervised properly.

Darwin it is certainly my focus in terms of future development and we will part of the reform project has been moved forward.

Mr WOOD: My basic question is, do we have a horticultural section still?

Ms FYLES: Yes.

Mr WOOD: Does it sell produce off the prison?

Ms FYLES: We have the horticulture section—and we are not trying to make light because we know that is important. In terms of those specifics, we do not have that before us but we will endeavour to—we will not be able to get that information today.

Mr WOOD: Surely someone knows whether we sell produce off the prison.

Ms FYLES: We will try to find out. We also welcome another visit, Member for Nelson.

Mr WOOD: The reason I am asking is that I thought it would be a fairly straightforward question. If they are not selling off-prison, was that a decision of the correctional advisory council? We visited the prison with you some time ago, minister. The Member for Araluen was concerned about competition outside of the prison. My concern was when it comes to competitive neutrality, surely prisons can still sell produce outside as long as they fit within the requirements of competitive neutrality.

Ms FYLES: We certainly need to be conscious of that in anything we do in any of these programs that we do not do it to the detriment of Territory businesses.

Mr WOOD: That is not a reason not to have those industries.

Ms FYLES: Yes.

Mr WOOD: Could I put that on notice?

Question on Notice No 4.14

Madam CHAIR: Member for Nelson, can you please repeat your question for the record.

Mr WOOD: Minister, is the horticultural section of Holtze prison selling produce off-prison? If not, has that been a decision of the correctional advisory council or has it been based on the principle of competitive neutrality?

Madam CHAIR: Minister, do you accept the question?

Mr WOOD: I would be happy for it to apply to Alice Springs. I was not meant to be avoiding that.

Ms FYLES: Yes. It is important to provide to the community too, just while we are taking that question on notice, that the Correctional Industries Advisory Council in Darwin and Alice Springs provides local businesses the opportunity to raise concerns. We get this is a complex space. We do not want to be doing something that takes away from Territory business, but we also at times do not have that and it provides significant benefit to prisoners.

Madam CHAIR: The question asked by the Member for Nelson of the Attorney-General has been allocated number 4.14.

Madam CHAIR: Are there any further questions on Output 2.1?

Mr WOOD: Is the bakery now operating at Holtze? I know there was one at Alice Springs. Is it a real bakery? In other words, not one that just picks up frozen bread and reheats it—is it one that makes bread?

Ms FYLES: I am not aware of those changes, so I will have to get that information. The commissioner would not be aware about the hot bun crisis.

Mr WOOD: No, but should he know if the bakery is operating? He should know that I hope.

Ms FYLES: The bakery is operating in Alice Springs. I just read something, but I need to get further advice.

Madam CHAIR: We might put that on notice.

Question on Notice No 4.15

Madam CHAIR: Member for Nelson, can you please repeat your question for the record.

Mr WOOD: Could the minister tell us whether the bakery at Holtze prison is operating? Is it a real bakery? Not just one that receives frozen bread and reheats it.

Madam CHAIR: Attorney-General, do you accept the question?

Ms FYLES: Yes.

Madam CHAIR: The question asked by the Member for Nelson of the Attorney-General has been allocated number 4.15.

Mr WOOD: Does the prison make any revenue from other industries, such as art sales and woodwork? Could you give us an update on the most important woodwork they are doing: the rocking horses?

Ms FYLES: There are a range of products sold through the show circuit and then also through local shops—bottle openers, coasters and things. Again, making sure through the Correctional Industries Advisory Council that we are not stepping on the toes of any local businesses. In terms of the rocking horse, that was tragically stolen from Howard Springs ...

Mr WOOD: If anyone out in estimates land is listening, please look out for an absconded—absconded I think because it was outside my shop, not inside my shop. It was not inside.

Ms FYLES: Did it have handcuffs on? I understand that correctional industries do some amazing woodwork. It is important because it is a skill they can get training certificates for. As much as we are making light of it, it is important as a part of training programs and future careers. I understand there are two rocking horses now being made.

Madam CHAIR: Are you satisfied with that response?

Mr WOOD: I am, thank you, Madam Chair.

Madam CHAIR: Member for Spillett, do you have additional questions under Output 2.1?

Mrs FINOCCHIARO: I wanted to ask about how we have advanced training opportunities for female prisoners. Last year we were talking about some of the access still being limited to things like hairdressing, and some traditional stereotypical female industries. I was wondering how that has changed in the last 12 months.

Ms FYLES: We need to be careful in our correctional facilities on separation of prisoners, but we have the Women of Worth program, which is a whole variety of skilling opportunities that women can partake in.

Mrs FINOCCHIARO: Does that include opportunities to give them meaningful employment into the future, such as certificates or ...

Ms FYLES: The commissioner can provide more detail on that program. It is an important program that is certainly supporting women.

Mr McNAIRN: The Women of Worth program—I have actually been hugely impressed so far. We are going to work towards developing that and moving that program to Alice Springs for females. It delivers a whole range of programs, domestic programs, finance, budget and parenting programs, et cetera. It is a really good and qualitative aspect.

It is also balanced with the fact that we have some commercial industries in there, so the females manage the community bagging and tagging, so all the canteen goods. They do that. They also do the Qantas earphones contract—again, balanced with educational activities—through the Batchelor Institute, the University of New England and the QuickSmart program.

A couple of weeks ago I was in Alice Springs and it was good to see 39 prisoners graduating, vocational and educational qualifications—female, male and remand prisoners. I have to say it was hugely rewarding for me personally to see it. We had the same graduation ceremony in Darwin. We are making good progress with that regime.

Mrs FINOCCHIARO: Can female prisoners take part in some of the metalwork, woodwork—we mentioned the wheelbarrows and the numberplates—those types of activities?

Mr McNAIRN: At this point in time, no, for separation and segregation reasons. But we do try to provide as much as qualitative program stuff inside that is female-centric. I am in the process of developing a female prison strategy as well. We have a real focus on females.

Mrs FINOCCHIARO: Is that because those facilities are being used all the time? Are there not days when male prisoners are not using the workshop, female prisoners could go in there? Or is it used five days a week?

Mr McNAIRN: It is predominantly used five days a week. I obviously would make sure that females are protected and segregated properly, at the same time providing a quality of regime that addresses the unique needs of female prisoners. There is more to do in that space, and that is why I have been developing the way the reform projects are used. We see a lot more programs and interventions for females in that revised structure.

Madam CHAIR: Anything further under Output 2.1?

Mrs FINOCCHIARO: I think you stated in the media that over 300 prisoners were waiting for offence-based treatment programs. What are those programs and what is being done to accommodate those prisoners?

Ms FYLES: It is a complicated space. There are people waiting for programs, but the commissioner will provide a breakdown of what we are doing.

Mr McNAIRN: We have a backlog of offenders already waiting for programs. Those programs are offence-based treatment programs, criminogenic programs such as violence programs, rage et cetera—then we have psychoeducational programs, which are for less offensive matters. I have assessed this. It is my view that we have a bit of a gap in service provision and that is why I have embarked on the reform project.

My plan with the reform project is to make sure we address the service gap that we currently see, and that we are profiling and prioritising those prisoners currently—and I have a revised schedule here for the rest of the year to try to get through some of the backlog. There are two unique and different programs: one is criminogenic and is psychoeducation. They are uniquely different through the health programs which basically mental health- and forensic-based.

Madam CHAIR: For the comfort of members, we will take a two-minute break.

The committee suspended.

Madam CHAIR: I have just become aware that the Member for Nhulunbuy has a question that was in a previous output. I am happy for you to take it on notice or answer it now.

Ms FYLES: Can we finish Correctional Services and then ask it?

Madam CHAIR: I just checked the number of questions on it, and that may take us past the lunch time break, but I am more than happy for you to take it on notice.

Ms FYLES: I am happy to talk about whatever the committee wants, but we also have Health.

Madam CHAIR: I am conscious of that, but it is up to the committee.

Member for Nhulunbuy, can I get you to state your questions, please.

Mr GUYULA: Can you provide an update on the alternative to prison option? How is the program working and what provisions have been made for it in the future budget?

Ms FYLES: Thank you for that important question. I ask Leanne Liddle, the director, to join. As you would be aware, we are developing an Aboriginal Justice Agreement to improve the justice outcomes for Aboriginal

Territorians—you represent a large number in your electorate. I ask Leanne to answer those specifics. I acknowledge the hard work of Leanne and her team. It is a small team, but they do very important work.

Can you repeat the question for her?

Mr GUYULA: Can you provide an update on the alternative to prison option? How is the program working and what provisions have been made for it in the future budget?

Ms LIDDLE: The budgets have already been allocated for two alternatives to custody, which are basically rehabilitation centres for people to address their criminogenic risk factors and equip them with skills so they can stop offending and reoffending.

We have two locations identified as sites that have two different types of clients. One is in Alice Springs, and that is for Aboriginal female prisoners. The other is one we are working through on Groote Eylandt, which is part of the decision-making framework, and that is for Aboriginal males aged 18 to 25.

The allocation has totalled \$4.4m over the years: \$750 000 in 2018–19; and \$1m for each year after that. We are currently working through the arrangements in governance, committees and criteria for accessibility. We need to get those right before we even look at putting any clients into these facilities. We have done some considerable work—again, evidence based—and are working with communities to ensure we get these right. This is something that has been told to us loud and clear: the community across the Territory wants this. It is a facility that will be operational soon.

Mr GUYULA: I suppose you answered some of the questions for this next one, but I would just like to put it on the record that I would like to see alternatives to prison models on country. What is being done about that?

Madam CHAIR: We might just note that and that could be something outside of—rather than have a discussion back and forth now, because we are looking at the budget. Thank you for assisting us. I am conscious that the Members for Spillett and Nelson continue to questions on Output 2.1.

Mrs FINOCCHIARO: Is it true minister that \$1.5m was spent to rectify faults at the Holtze prison over the last year?

Madam CHAIR: Could you restate that question?

Mrs FINOCCHIARO: How much has been spent to rectify faults at the Holtze prison over the past year?

Ms FYLES: The Darwin Correctional Facility operates on a public-private partnership. We have lease costs and staffing costs. I am not sure where that figure has come from, if you want to provide any more detail. I do not have in front of me.

Mrs FINOCCHIARO: Has the department spent any money to rectify any faults at the Holtze prison?

Ms FYLES: Under the PPP it is complex, because there are some that are similar to when you lease a house or a commercial premises. There are some that are our responsibility and then there are others. We have had some changes based off the coronial on the fans, and some bed increases. Whether that figure—I do not have that figure you quoted, but there certainly has been some expenditure.

Mrs FINOCCHIARO: Do you have the total figure of expenditure outside of the PPP?

Ms FYLES: We are just looking for that.

Mrs FINOCCHIARO: What has been spent and what has been budgeted for the next financial year.

Ms FYLES: We will endeavour to get that as we go through the next few questions.

Mrs FINOCCHIARO: Cool, thank you.

Ms FYLES: But those are the two areas that we are aware of any additional cost beyond the PPP.

Mrs FINOCCHIARO: The fans and the beds. How much in abatements under the PPP have been charged in the past year?

Ms FYLES: We can get that figure quickly, we just do not have it in front of us. We have provided it before, I think, to the media.

Mrs FINOCCHIARO: What are the current arrangements for providing alcohol and drug treatment within our prisons?

Ms FYLES: There are a number of therapeutic programs that are provided. The figures I have are all the therapeutic programs rolled up together. There are treatment service units in Alice Springs Correctional Centre and Darwin Correctional Centre and they are responsible not only for the delivery of alcohol and other drug services, but for violent and other offender programs and sexual offender treatment programs.

Mrs FINOCCHIARO: You do not have the breakdown? Could you separate drug and alcohol from violent and other?

Ms FYLES: I do not have it in front of me. I have a breakdown on the family violence program, that is around \$800 000 per year.

Mrs FINOCCHIARO: The family violence program?

Ms FYLES: The overall is about \$4.3m for therapeutic programs. As I said, that covers a number of areas.

Mrs FINOCCHIARO: Could I put a question on notice for a breakdown?

Ms FYLES: There would be a breakdown, but this is one of the areas that we are looking at in terms of the reforms, around the delivery of these programs.

Question on Notice No 4.16

Madam CHAIR: Member for Spillett, please restate the question for the record.

Mrs FINOCCHIARO: Can I have the breakdown of how much is being spent for providing treatment of alcohol and other drug services to prisoners, and the breakdown for other therapeutic services being provided to prisoners?

Madam CHAIR: Minister, do you accept the question?

Ms FYLES: Yes. Was it Corrections only that you are after?

Mrs FINOCCHIARO: For prisoners, yes.

Ms FYLES: But Health also spends money on prisoners and provides services.

Mrs FINOCCHIARO: Corrections would be paying for Health for that service, I imagine.

Ms FYLES: No. The clinic that is approving that is approving this (inaudible) the location; it is a health service.

Mrs FINOCCHIARO: Can I ask both questions and, given you are the minister for both, get both answers?

Ms FYLES: Yes, (inaudible).

Mrs FINOCCHIARO: To clarify my previous question: as broken down in what the Department of the Attorney-General pays for it and how much the Department of Health pays for it?

Madam CHAIR: In relation to medical services for prisoners?

Mrs FINOCCHIARO: I will restate the question. Can I get a breakdown of the figure associated with providing alcohol and other drug addiction services to our prisoners, split into Corrections and Health, and other therapeutic services in Corrections and Health?

Madam CHAIR: Minister, do you accept

Ms FYLES: Yes. There are alcohol and other drugs programs: the Safe Sober Strong Program and the Intensive Alcohol and other Drugs Program. We also have, as I was just talking about, the Prison In-Reach Program run by Health, the Safe and Smart program run by DASA, as well as a Narcotics Anonymous support group. There are a number of programs.

Madam CHAIR: Thank you. The question asked by the Member for Spillett of the minister has been allocated the number 4.16.

Madam CHAIR: Are there any other questions for Output 2.1?

Mrs FINOCCHIARO: I asked about the abatements and the cost of rectifying faults and the amount budgeted?

Ms FYLES: We are waiting for that to come through.

Madam CHAIR: We are waiting for that to come through. They will let us know when it does. If not we will have to put it on notice. I am happy to come back to it if it has already been asked. We will not allocate it a number just yet, but we will make sure that we state for the record which output that comes under.

Mr WOOD: Minister, when can we see animals being used as part of rehabilitation, like the Greyhound Adoption Program in South Australia Women's Prison, and when can we see chickens at the Holtze Prison?

Ms FYLES: Thank you for your question, Member for Nelson. I will hand to the commissioner.

Mr McNAIRN: Thank you. It is a very good question because when I was in Queensland as a prison governor and prison director, I introduced the first Pups in Prison program, which went national after that. I am a firm advocate of that program. I have already met with Assistance Dogs Australia and my plan is to try to bring the same service up to Darwin and Alice Springs.

I am also looking at RSPCA to see if there are any stray pet projects that we can have a look at as well. I have found, and have managed this for some time, that the therapeutic value for prisoners alone is invaluable in terms of managing some of these dogs and pups. I am really focused on that now—and I will look at the chicken thing as well. Obviously we have never had chickens before but I am an advocate of it.

Mr WOOD: They would produce eggs for the prison. Could you also say whether you have been looking at Wildcare? Unfortunately Wildcare's funding has been deleted in this year's budget but are you looking at perhaps prisoners being able to look after injured animals, as they used to in Berrimah?

Mr McNAIRN: Yes, that is what I am looking to do. I am looking at all opportunities for animal care and animal welfare. We have chickens in the female complex in Alice Springs, and a duck. We also have chickens in the work camps. We will try to look at it for prisons.

Mr WOOD: My last question on this section is related to prisoner education and training. Some of it has been covered already by the Member for Spillett, but why do you estimate that 75% of prisoners will be engaged in education programs when last year only 33% did? Just an add-on to that question. Prisoners can get their forklift licence but can they get their car licence, which is really important especially when we are talking about people being identified for the voting roll?

Ms FYLES: We acknowledge that education and training is a really important part of rehabilitation and re-integration into community. If people can continue with further study or employment, it hopefully decreases the likelihood of reoffending. I will hand to the commissioner to provide a more specific explanation.

Mr McNAIRN: Again, this is a real focus for me in terms of education because I think the balance between education, industries and other services is hugely important and has formed an essential part of how I have developed the reform project. I am looking at putting in an additional educators' facility as well as counsellors to deliver some of the service gaps that I see.

Your other question was on ...

Mr WOOD: I notice that prisoners can get a forklift licence but I did not see anything to say that they can get their car licence, which is probably more important.

Mr McNAIRN: We are working on that. We have just moved—we have one of those dual-steering cars and we are moving that to Barkly. We have a driver's training program in Barkly, so we have staff that can take them through the practical assessments and then take them into the driving transport agency and they have a better opportunity to pass their practical driving test.

We are in the process of moving the car from Darwin to Barkly. I have an officer down there who is a driving instructor, believe it or not. We are going to take it a stage further and try to get the practical application up to get the prisoners through the test. That is something I am focused on.

Mr WOOD: At Holtze you could nearly do a four-wheel driving test, as long as they do not abscond. That is all the questions I have on that.

Madam CHAIR: Are there any further questions on Output 2.1? That concludes consideration of Output 2.1.

Output 2.2 – Community Corrections

Madam CHAIR: I will now call for questions on Output 2.2, Community Corrections. Are there any questions?

Mrs FINOCCHIARO: How many prisoners are currently on parole?

Mr WOOD: Is this a parole question or a community corrections question?

Madam CHAIR: I will seek some guidance from the minister around where she would rather answer that question.

Ms FYLES: Our preference is to stay in order with the outputs.

Madam CHAIR: So you think it would sit under Parole Board?

Mrs FINOCCHIARO: I want to confirm that any questions on parole are under Parole Board, as opposed to Community Corrections?

Madam CHAIR: Proceed please, Member for Spillett. I just want to be more careful.

Mrs FINOCCHIARO: How many offenders are currently on parole?

Ms FYLES: One hundred and six.

Mrs FINOCCHIARO: I do not know how you measure it, but if you compared to last year, is the 106 a now figure? Or is it until March?

Ms FYLES: Last week it was 103.

Mrs FINOCCHIARO: If I was to compare to last year, I do not know if you wanted to provide me a different figure or not?

Ms FYLES: I do not have the figures in front of me for last year. It is a figure that varies—a live figure that changes every single day. As I said, last week there was 103 and this week it is 106.

Mrs FINOCCHIARO: You must report on it, though? I am trying to find a comparison.

Ms FYLES: I am just saying that the figure I have before us is the figure for today.

Mrs FINOCCHIARO: I want to ask you how many last year. I am asking, to make it easier—say, March to March? Or do you want me to do it from today to last year to today?

Ms FYLES: Point in time to point in time.

Mrs FINOCCHIARO: Can you provide me for last year on today's date—13 June 2018?

Ms FYLES: I do not have that here.

Ms FYLES: I will as it on notice.

Question on Notice No 4.17

Madam CHAIR: Member for Spillett, please repeat your question for the record.

Mrs FINOCCHIARO: Could you please provide the number of people that were on parole on 13 June 2018?

Madam CHAIR: Attorney General, do you accept that question?

Ms FYLES: Yes.

Madam CHAIR: The question by the Member for Spillett of the Attorney-General has been allocated the number 4.17.

Mrs FINOCCHIARO: I wanted to ask about electronic monitoring of those on parole. Is how electronic monitoring different for each parolee? Is use of electronic monitoring, for example with geo-fencing, is that always something that happens with electronic monitoring?

Ms FYLES: Madam Chair, we are happy to be transparent and provide information, but we do note that this is the subject of an active police investigation and a coronial. We need to be very careful—particularly me, as the Attorney-General—that we do not inadvertently impact on something.

In terms of electronic monitoring, it is not only another tool to help people on parole but others to comply with their conditions. Electronic monitoring includes people on parole, suspended sentences, home detention and bail. It is an additional tool. Somebody has their conditions set, and EM is another tool to monitor that. Someone on home detention may not be able to leave a specific area, so it would provide an accurate record that did occur. Equally, someone could be curfewed and it provides an active tool.

It is not like a drone flying over someone. It does not tell you exactly what they are doing.

Mrs FINOCCHIARO: Those conditions can be programmed in to the bracelet so that a breach of the condition would trigger some form of alert? Or not all the time?

Ms FYLES: I will hand to the commissioner, but no, that is not correct.

Mr McNAIRN: The conditions are quite specific to the individual and the individual's risk. They may vary between 10 conditions to 20-odd conditions.

They are not set in any of the bracelets but what is set in the bracelet is either an inclusion zone, a curfew zone or an exclusion zone. A prisoner is not allowed somewhere, but he or she is also not allowed to leave from somewhere—from his or her house.

If they breach that curfew there is an alert which a service provider makes contact with us and we manage the incident or alert from there.

Mrs FINOCCHIARO: Who receives those alerts? Is it Corrections?

Mr McNAIRN: The alert initially comes in to a service provider G4S, who then make contact with Community Corrections, prisons and parole, and we then make contact with the offender. If we cannot with the offender and it is with curfew zone, we will then contact the police.

Mrs FINOCCHIARO: Does that service provider by Corrections—is that a 24-hour service? If an alert came to you at 3 am would you be able to respond to that?

Mr McNAIRN: Yes, we can. It is a 24-hour service.

Mrs FINOCCHIARO: Do Corrections then make contact with the offender and make a decision to notify police?

Mr McNAIRN: Depending on the assessment that the probation and parole staff give at that point in time.

Ms FYLES: That is done through Community Corrections.

Madam CHAIR: Being 21 pm, we will now have a 30-minute lunch break.

The committee suspended.

Madam CHAIR: We are currently on Output 2.2, Community Corrections. Are there any questions?

Ms FYLES: For the Deputy Leader of the Opposition, just in terms of the abatements, the advice I have is that is commercial-in-confidence. If we could take that question on notice I will thoroughly check that response and could possibly provide it. We ascertained that information in the lunch break.

Question on Notice No 4.18

Madam CHAIR: Member for Spillett, could you please restate the question for the record.

Mrs FINOCCHIARO: How much in abatements have been charged in the past year?

Madam CHAIR: Minister, do you accept the question?

Ms FYLES: Yes.

Madam CHAIR: The question asked by the Member for Spillett of the Attorney-General has been allocated the number 4.18.

Ms FYLES: Then you had a separate question that there had been \$1.5m paid for ...

Mrs FINOCCHIARO: I was not sure if that was the right amount.

Ms FYLES: No. I do not have any information apart from those small rectifications which I talked about.

Mrs FINOCCHIARO: The fans and the beds.

Ms FYLES: Yes. We do not have another substantial figure.

Mrs FINOCCHIARO: Are you able to provide me with the figure of how much was spent on Holtze prison that does not fall under the PPP and how much is budgeted for in the next financial year? So for the R&M stuff and the incidentals.

Ms FYLES: Mostly it is tied up in the PPP but anything outside of that we can take on notice as well.

Question on Notice No 4.19

Madam CHAIR: Member for Spillett, could you please restate the question for the record.

Mrs FINOCCHIARO: How much was spent at the Holtze prison to rectify faults or other incidental works that fall outside the PPP over the past year and how much is being estimated or budgeted to be spent into the next financial year?

Madam CHAIR: Minister, do you accept the question?

Ms FYLES: Yes.

Madam CHAIR: The question asked by the Member for Spillett of the Attorney-General has been allocated the number 4.19.

Madam CHAIR: Are there any further questions on Output 2.2, Community Corrections?

Mr WOOD: Only 68% of community work orders were completed. What happens to those who have not completed their work orders?

Ms FYLES: A community work order is imposed to compel an offender to complete unpaid community work. A probation and parole officer is assigned to outline the work schedule and keep people on track. If that is not met, then that would be a matter subject to go back to the court because they are not meeting their obligations.

Mr WOOD: Do we have any idea of what happens to those other 32% of people who have not completed it? They have not completed it, what is the punishment for not completing the work order?

Ms FYLES: It would depend on the circumstances in each case.

Mr WOOD: Just say, someone could not be bothered. Are there some statistics that show what happens to people that do not complete their work orders?

Ms FYLES: We do not have the statistics on it but if they went back, an alternative sentence may be imposed on them. It would really vary from case to case.

Mr WOOD: If I can put it in more general terms, they do not get off scot-free, I presume, if they have not completed their work order? They have to take some responsibility for not finishing off their work order. What I am getting at is, what is that responsibility that they are required to do if they do not complete their work order? Do they go to prison?

Ms FYLES: That could be one outcome. It could be extended. It would vary from case to case.

Mr WOOD: Who would I have to ask to find that out?

Ms FYLES: The advice I have is that it is a decision for the judge. They could send them to prison, they could extend the community work order.

Mr WOOD: So, if someone is found not to have completed their work order, who sends them back to court? How does that process occur?

Ms FYLES: Community corrections, probation and parole would identify that they have not completed that and that would go back to the judge.

Mr WOOD: How would you force them back to court? They would be told to turn up there?

Ms FYLES: Correct.

Mr WOOD: And there would be consequences if they did not.

Ms FYLES: You cannot just ignore it and it goes away. There is a process around it.

Mr WOOD: It is important because it is meant to be an alternative to going to prison and if only 68% of people do it, then there are 32% of people you would be asking why not.

Mrs FINOCCHIARO: There is a reporting obligation to report that to the courts.

Ms FYLES: It would be a breach of their conditions and so that would then...

Mr WOOD: Through the Chair, we did some parole issues. Could I just have a couple of questions on that? One was related to the electronic monitoring. There have been a number of cases, not just recently, of people—some young people—getting out of their electronic monitoring device. Is there an issue with their security or the way they are designed that enables people to break out of those electronic monitoring devices?

Ms FYLES: The advice I have is that they are not designed—they can come off. People have to wear these for a long period of time, they need to be practical. There could be an accidental situation where it needs to come off. It is another tool to monitoring that compliance. Clearly cutting it off is a breach and so that is identified, but they are not some metal thing that cannot come off. That is not what they are designed for. I am not sure if the commissioner wants to add to that?

Mr McNAIRN: On those occasions when somebody tries to cut the strap, the strap has a tamper alarm in it and it will activate. That is what activates the response from a service provider who then contacts probation and parole and we then check up, similar to the circumstance I talked about earlier.

Mr WOOD: You have to find them then because they do not have the ...

Mr McNAIRN: That is right.

Mr WOOD: Can some of these monitoring devices detect alcohol and drugs? I know in America, people on drink driving offences can get a monitoring device that reads through the skin. Do we have those here?

Ms FYLES: They are very limited use. It is a SCRAM device. When we talk about electronic monitoring, it is a different device.

Mr WOOD: My last question on parole is, what is residential rehabilitation when it comes to parole?

Ms FYLES: Residential rehabilitation is where somebody lives at the rehabilitation, so they go and stay there for a period for time—eight to 12 weeks to complete a program.

Mr WOOD: But it says 'residential', meaning—what is an example of residential rehabilitation then?

Ms FYLES: Venndale and Stringybark ...

Mr WOOD: They have to turn up there and have to live there.

Ms FYLES: They live there like boarding school.

Mr WOOD: Like mandatory alcohol rehabilitation?

Ms FYLES: It is court ordered. AMT is a different process. It is court based. If they breach it, their conditions would be revoked if it is court ordered.

Mrs FINOCCHIARO: Does the government have transitional housing for prisoners to transition—I do not know whether it is when they are on parole or after they have completed their sentence?

Ms FYLES: Are you talking about the transitional accommodation program?

Mrs FINOCCHIARO: Yes.

Ms FYLES: The federal government worked with the Territory government—around \$10m through the Indigenous Advancement Strategy, to deliver a transitional accommodation program. Most jurisdictions have transitional housing initiatives of some form. This comes back to stopping the reoffending—homelessness or accommodation is a factor in that. It is to provide stable accommodation post-release. This was a finding in the COAG prison to work report, which stated that a lack of stable housing is the most significant barrier to prisoners finding and maintaining a job.

We are working with the department of Housing. These are people who have completed their prison sentences, but it would be identified that having stable housing is a factor to them reoffending. They would be eligible for public housing. What we would be working on is a program where, within correctional services, they can work on properties and when it comes time for them to leave prison, they would be eligible for this public housing.

We have been working with the federal government on this program. You would be aware of the media and concern from the community on the location of those houses. I have been working closely with the departments of Housing and Corrections on—we know the principles of the program, but listening to community concern on the location of the properties.

Mrs FINOCCHIARO: Currently, as the program stands in the Territory, it is about eligibility for Territory housing, as opposed to Corrections-run housing.

Ms FYLES: We identified properties that were beyond economic repair from Housing. Corrections people, when they are incarcerated, would repair those facilities, those houses ...

Ms FYLES: For Territory Housing?

Ms FYLES: Yes. That would make them—we know the public housing waiting list and we know that there are priority elements to that. That would then make these people eligible, on completing their sentence, for properties.

Mrs FINOCCHIARO: But they are still Territory Housing properties?

Ms FYLES: Correct.

Mrs FINOCCHIARO: They would just become a normal Territory Housing tenant?

Ms FYLES: We have made a significant investment in public housing—\$100m—to bring more houses back online and up to date. These would be houses that would be beyond economic repair that prisoners would work on. Then when they have completed their sentence, they would be eligible for public housing.

Mrs FINOCCHIARO: But it is not part of Corrections. If they are eligible and are able to have a home, they just become a Territory Housing tenant?

Ms FYLES: Yes, that is essentially how it works. It is not Corrections suddenly having houses. But there has been concern from the community on the identification of the properties. We are working through the logistics with Housing with how that program would be rolled out.

Mr WOOD: There are plenty of houses at the 11 Mile that could do with a repair.

Ms FYLES: They are not public housing houses though.

Mrs FINOCCHIARO: Do you have any currently?

Ms FYLES: There is a small number currently that have been repaired and have people residing in them that are former prisoners. They are managed by NGOs, I should say. Part of this is they are public housing properties but working with NGOs.

Mrs FINOCCHIARO: How many in total do you have?

Ms FYLES: Less than a dozen.

Mrs FINOCCHIARO: In Darwin and in Alice or just Darwin?

Ms FYLES: The aim for the program was around 40 properties but we are working with NGOs and with Housing. We are working to come up with a more sustainable model and acknowledging community concerns around the identification of the properties.

There are other programs where people are supported to live in public housing. The HASI program, for example, with mental health services, is one.

Mr WOOD: I only brought up 11 Mile because there are a lot of old RAAF houses there and you said prisoners are being used to upgrade those existing Housing Commission houses. I would have thought there is perhaps an opportunity there for some of those houses to be either done up, relocated or even a space left for people.

I see about 100 houses or so sitting there going to waste. Some of them have been sold but very slowly. I do not know whether there is still an opportunity for some of the issues you are talking about to be at least looked at from the point of view of whether those houses could be reused.

Ms FYLES: Defence sold those properties to a private contractor. They are owned by that private contractor. As simplistic and as good as it seems to do that, the NGO support is a key part of it.

Where you would locate those houses—it is not as simple and straight forward as there is 100 houses sitting there.

Mr WOOD: No, but it might have been a transition place.

Ms FYLES: That location where those are they are sitting half on stilts. They are not appropriate to house people in them.

Mr WOOD: They are not on stilts at the moment. They are on blocks. There are a couple they put up for showing off, but they can be on the ground. It also gives people an opportunity to show the skills they have learned when they are in prison to work on upgrading some of those houses.

I put it forward as an idea. I find it difficult when you see so many houses sitting there. We have homeless people and we have people waiting on a waiting list, and those houses are sitting there.

Ms FYLES: They are not government houses.

Mr WOOD: I know that.

Ms FYLES: Also it would be a significant investment for government if they were even to be given those houses. They need significant upgrades. I know people that have gone and put them on rural blocks.

That would be a point—where would you put those houses? That is someone's private land where they are now. You cannot suddenly start housing people there. People come up with these ideas, but there is a lot more to it than what it seems.

Mr WOOD: I understand that sometimes you need to come up with the ideas and then see if you can solve them.

Ms FYLES: I will let you progress that one, Member for Nelson.

Mr WOOD: I would be happy to.

Mrs FINOCCHIARO: How many people have had their parole revoked or cancelled in the past year and who makes that decision? It is the Parole Board, I assume.

Ms FYLES: That would be a question for the Parole Board, an independent board of experts and community members. The Chair makes that decision.

Mrs FINOCCHIARO: The Chairperson of the Parole Board?

Ms FYLES: If someone's parole is revoked it goes back to court.

Mrs FINOCCHIARO: There has been a significant increase in alternatives to prison program funding in this budget of about \$2m. Can you explain where those increased funds will be spent and what are the KPIs for that initiative?

Ms FYLES: We answered that this morning with Leanne. That is the Aboriginal Justice Agreement—alternatives to prison.

Mrs FINOCCHIARO: What is the funding for the Barkly Work Camp this year and how does that compare to last year?

Ms FYLES: That was under Output 2.1. I am happy to go back and repeat that figure. As at 31 March, \$2.7m had been spent, and we projected that that will go to \$3.7m by the end of the financial year. Last year's actual was \$4.2m. That slight reduction would correlate to numbers in the camp being eligible, which comes back to the question the Member for Nelson asked me earlier on Mataranka. I said that we already have two facilities where we actually have capacity.

Mrs FINOCCHIARO: Statistics show as many as 25% of people in prison in the Territory have been convicted of a traffic-related offence. Could you explain the Traffic Offender Intervention Program, who is eligible for that program and what funding is attached to it?

Ms FYLES: I am not sure where that figure comes from.

Mrs FINOCCHIARO: Are you able to provide me the figure of people who are incarcerated as a result of traffic offences?

Ms FYLES: When someone is incarcerated it would probably be classified under the most serious offence. I am not sure where that figure of 25% has come from. The Corrections Commissioner and the Deputy CE have said they have never seen that figure. We spoke a little bit before about driving programs ...

Mrs FINOCCHIARO: You have a Traffic Offender Intervention Program?

Ms FYLES: Yes, with the Barkly Work Camp. There has been a focus on that.

Madam CHAIR: Are there any further questions?

That concludes consideration of Output 2.2.

Output 2.3 – Parole Board

Madam CHAIR: The committee will now move to Output 2.3, Parole Board. Are there any questions?

Mrs FINOCCHIARO: How many people are on the Parole Board and what is the makeup—corrections, police, community members?

Ms FYLES: Correct, and I am sure the chair of the Parole Board would welcome a briefing for you. I have met with the Parole Board; it is a wide variety of people who make up the board and they have a specific number for a hearing, so to speak.

The Chair is Justice Southwood and Commissioner McNairn sits on the board. There are about 15 to 20 members and they vary in skill set, as you would expect. They are appointed for a period of time, and my understanding is they met 21 times as a formal board in the last financial year.

Mrs FINOCCHIARO: Do all the members have to be available for each time they make a decision? Is there a quorum?

Ms FYLES: It is rotational—roughly eight people.

Mrs FINOCCHIARO: Are there statutory requirements? Of the eight people, there always has to be someone from Corrections, police or wherever, or is it a mix?

Ms FYLES: Corrections and police are the only two who have to be there, the rest rotate through.

Mrs FINOCCHIARO: How many parole applications have been made in the last year, and of those, how many were granted and how many refused?

Ms FYLES: The Parole Board has that information. I think we will have to take that on notice. But I am sure Justice Southwood would be happy to provide a briefing for you as shadow minister.

Mrs FINOCCHIARO: In relation to the COMMIT program introduced by the Parole Amendment Bill 2017, how many prisoners have been granted parole since that program started?

Ms FYLES: COMMIT is a further scrutiny to someone's parole. It provides a short, predetermined sanction for any breach of their parole. As of 31 March this year 140 offenders were placed on COMMIT, and that was a breakdown of approximately 89 in the Supreme Court and 51 in the Local Court. Thirty-three offenders have successfully completed their COMMIT program, but 34 have been removed because the order has been restored and the court has determined it is more appropriate to manage the offender under general supervision.

That sanctions matrix was published in September 2017, showing the sanction for whatever the breach of parole would be.

Mrs FINOCCHIARO: Is it the entire Parole Board or the Chair who applies that predetermined sanction?

Ms FYLES: The Chair, but the offender—or parolee—when on parole understands how COMMIT works and what the sanction would be.

Mrs FINOCCHIARO: If I breach my curfew I know X happens—so, the Chair can say, ‘You’ve breached your curfew, now this is happening’.

Ms FYLES: Yes, and it depends on the seriousness, so there is a wide range. It is based on evidence of supporting people and re-integrating them.

Mrs FINOCCHIARO: I think you answered my next question earlier, as it was asked by the Member for Nelson, but in regard to breaches of parole, there is no discretion by Community Corrections that has to be escalated, notified, reported—whatever you want to call it.

Ms FYLES: If they breach parole it clearly outlines the sanction, and if they breach parole they go back to the Parole Board.

Madam CHAIR: Are there any further questions on Output 2.3? That concludes consideration of Output 2.3 and Output Group 2.0.

OUTPUT GROUP 3.0 – COURT AND TRIBUNAL SUPPORT SERVICES

Output 3.1 – Higher Courts

Madam CHAIR: I now call for questions on Output Group 3.0, Court and Tribunal Support Services, Output 3.1, Higher Courts. Are there any questions?

That concludes consideration of Output 3.1.

Output 3.2 – Lower Courts and Tribunals

Madam CHAIR: The committee will now consider Output 3.2, Lower Courts and Tribunals. We are joined by Chris Cox, Executive Director Courts and Tribunals. Are there any questions?

Mrs FINOCCHIARO: The root-and-branch review suggested that co-locating the NTCAT at Nichols Place might achieve some budget savings. What budget savings does the department envisage that will deliver?

Ms FYLES: It is about co-location at the Local Court at Nichols Place. That would be cumulative savings for property management as we would no longer have to pay rent for the NTCAT. The Local Court is NT Government-owned.

Mr WOOD: I went to a talk by Michael Grant, our Chief Justice, on alternative dispute resolution. It was a very interesting talk, but I will not go into that now. I am wondering, considering he also sent me his speech, but he sent me a document that I had never seen before from 1991. One of the recommendations by this parliament was that an alternative dispute resolution program should be established on Aboriginal communities in the Northern Territory? Is that something that is still done today?

Ms FYLES: The Community Justice Centre have done some work in that space, Member for Nelson.

Mr WOOD: I will put it in some context. It was 24 June 1991, the Attorney-General referred the issue of alternative dispute resolution to the Northern Territory Law Reform Committee for examination and report. Regardless of that, are we getting more people using ADR as a means of solving some of the issues before the court?

Ms FYLES: That report is from a long time ago. Usually what happens with Law Reform Committee reports is that they are provided and governments try to implement the measures. We also try to have people resolve disputes without taking it to a court level. I know that does not answer the specifics of your question.

Mr WOOD: I think Michael Grant was saying in his speech that in 2040 we may have more Aboriginal people than non-Aboriginal people in the Northern Territory, and that there would be need to look at alternative dispute resolutions. I am not saying we do not use them now, but we need to look at alternative ways of dealing with these matters because there will be more Aboriginal people than non-Aboriginal people. I am just putting it forward—is it something that is used?

Ms FYLES: The Aboriginal justice agreement is also looking at this, on local decision-making to dispute resolution. I mentioned that earlier.

Mr WOOD: So, it is not a formal thing? As was put forward as a recommendation.

Ms FYLES: It can vary from processes and support before it gets to that formal processes, or it can get to that community justice centre level.

Mr WOOD: It would be just interesting to see if there was a process that could occur in a formal way to have this as an alternative to court procedures.

Mr SHANAHAN: In civil matters ...

Mr WOOD: It would be civil matters mainly.

Mr SHANAHAN: Most jurisdictions have some form of compulsory conference though where they try to get people to mediate before they finally hear the matter. There is that element to it. I do not think there is something specific out in remote communities. It is rare that they would ever sit out there in a civil capacity.

Mr WOOD: That is my only question on that.

Madam CHAIR: That concludes consideration of Output 3.2.

Output 3.3 – Fines Recovery Unit

Madam CHAIR: The committee will now proceed to Output 3.3, Fines Recovery Unit. Are there any questions?

Mrs FINOCCHIARO: I just wanted to ask one on that output about the name and shame list. FRU has been provided with additional funding to support enforcement. What are the enforcement measures?

Ms FYLES: The enforcement measures have not changed.

Mrs FINOCCHIARO: So what is the increased funding for?

Ms FYLES: There had been a decrease in the past and there additional resources were placed there.

Madam CHAIR: Are there any more questions on this output?

Mr WOOD: How much, in dollar terms, is still outstanding in unpaid fines, up until now?

Ms FYLES: We do not have that before us, so we are happy to take it on notice.

Question on Notice No 4.20

Madam CHAIR: Member for Nelson, please repeat your question for the record.

Mr WOOD: How much in dollar terms is still outstanding in unpaid fines up until now?

Madam CHAIR: Do you accept that question, Attorney-General?

Ms FYLES: Yes.

Madam CHAIR: Thank you. The question asked by the Member for Nelson of the Attorney-General has been allocated the number 4.20.

Madam CHAIR: Are there any further questions for Output 3.3?

Mr WOOD: In relation to the Fines Recovery Unit, on the output group section of the budget, it says variations in the Fines Recovery Unit output are due to additional ongoing funding to support enforcement measures. What do you mean by 'supporting enforcement measures' in this case?

I am asking why you need additional ongoing funding to do that. That is, to support enforcement measures.

Ms FYLES: We try to get fine defaulters to pay their fines. There are then hierarchical suspensions or sanctions. That might be suspension of driver's licences or business orders.

Mr WOOD: What is the additional funding used for?

Ms FYLES: That is just additional positions to recover the fines in the first place.

Mr WOOD: Is it more staff?

Ms FYLES: Yes.

Mr WOOD: It is not clear what it is for.

Madam CHAIR: Are there any more questions on Output 3.3, Fines Recovery? The committee will now conclude consideration of that output.

Output 3.4 – Integrated Justice Information System

Madam CHAIR: The committee will now consider Output 3.4, Integrated Justice Information System. Are there any questions?

That concludes consideration of Output 3.4 and Output Group 3.0.

OUTPUT GROUP 4.0 – DIRECTOR OF PUBLIC PROSECUTIONS **Output 4.1 – Director of Public Prosecutions**

Madam CHAIR: I now call for questions on Output Group 4.0, Director of Public Prosecutions, Output 4.1, Director of Public Prosecutions. Are there any questions?

Mrs FINOCCHIARO: Yes. Obviously DPP has received an increase in funding in this budget, which is very good. Going back to the 2017–18 annual report, there were concerns around funding for the Fraud Prosecution Unit. Has this been remedied as a result of the funding increase this year?

Ms FYLES: We have provided additional funding resources to the DPP. It would be up to them to allocate what they feel is the best way to utilise that.

Mrs FINOCCHIARO: Is that the end of the answer?

Ms FYLES: We have provided the additional resources.

Mrs FINOCCHIARO: You have provided additional money to DPP and they can spend that how they want?

Ms FYLES: Correct.

Madam CHAIR: Are there any more questions on Output 4.1, Director of Public Prosecutions? That concludes questions on Output Group 4.0.

OUTPUT GROUP 5.0 – INDEPENDENT OFFICES **Output 5.1 – Consumer Affairs**

Madam CHAIR: We will now move on to consider Output Group 5.0, Independent Offices, Output 5.1, Consumer Affairs. Are there any questions?

Mrs FINOCCHIARO: What is the total cost of administering the MyFuel NT website was, and how does that compare to the year before?

Ms FYLES: We thought you might ask that.

Madam CHAIR: For the record Attorney-General, could you introduce the person who has joined your table?

Ms FYLES: Gary Clements, Commissioner of Consumer Affairs.

Madam CHAIR: Thank you very much.

Ms FYLES: Member for Spillett, it is \$250 000 per year.

Mrs FINOCCHIARO: So, it cost \$250 000 last year and \$250 000 the year before? What compliance work does Consumer Affairs do to ensure that the prices listed on MyFuel NT are accurate?

Ms FYLES: An additional staff member was appointed to ensure the compliance—to meet the administrative demands of the MyFuel NT scheme ...

Mrs FINOCCHIARO: When was that?

Ms FYLES: Gary can provide that detail.

Mr CLEMENTS: We had one FTE provided in that funding, although all the Consumer Affairs staff undertake compliance work if they are undertaking field work, which many of them do. Since 1 November 2017, when this was introduced, we have undertaken over 900 checks in the Darwin region and 700 in Alice Springs, ensuring that the accuracy of the detail on the price boards match the MyFuel NT system.

Ms FYLES: There was one breach where compliance action was taken earlier this year against one outlet when an infringement notice was issued.

Mrs FINOCCHIARO: How many cautions have there been?

Mr CLEMENTS: I do not actually have that detail, but we often contact the fuel outlets to remind them of their requirements. Obviously we give them cautions prior to moving to infringement. It is only in a situation where they continue to have non-compliance.

Mrs FINOCCHIARO: Would that information be recorded, I could ask on notice how many cautions have been issued and how many have infringed under section 188?

Mr CLEMENTS: Yes.

Question on Notice No 4.21

Madam CHAIR: Please restate the question, Member for Spillett.

Mrs FINOCCHIARO: How many retailers have been cautioned and how many have been charged with a regulatory offence under section 188 of the *Consumer Affairs and Fair Trading Act 1990*?

Madam CHAIR: Do you accept the question, Attorney-General?

Ms FYLES: Yes.

Madam CHAIR: The question from the Member for Spillett of the Attorney-General has been allocated the number 4.21.

Mrs FINOCCHIARO: I had one last question. If the administrative costs had been consistently \$250 000, who is paying for that additional FTE?

Ms FYLES: That is from within the \$250 000.

Mrs FINOCCHIARO: But if it is an additional person, how can it ...

Ms FYLES: It was additional when the scheme was set up.

Mrs FINOCCHIARO: Not additional since the scheme was setup?

Ms FYLES: No—sorry.

Mrs FINOCCHIARO: No further questions.

Mr WOOD: We are supposedly in tight economic times and looking at outcomes. There is at least one private website that shows fuel prices. Why are we continuing to spend \$250 000 when we are trying to cut back on expenditure?

Ms FYLES: We have 100% compliance across the 203 retailers with the scheme.

Mr WOOD: That is not the main reason for the scheme.

Mrs FINOCCHIARO: Would it not be 99.9% given you have an infringement?

Ms FYLES: It was a recommendation of the ACCC's report. It is an important scheme to have transparency and for Territorians to be able to access the cheapest fuel easily.

Mr WOOD: I cannot remember it being put forward as an ACCC item. It may have related to signage, but to have a website to tell you the price for small price like Darwin ...

Ms FYLES: It was about increasing consumer awareness.

Mr WOOD: I think consumer awareness is not that difficult in a place as big as Darwin. I just wonder why we will continue to spend a quarter of a million dollars a year when times are tough financially for the government. Have they considered dropping it?

I cannot get money for Wildcare and Land for Wildlife, which is far more important than having a website for how much fuel costs. I will raise that again later.

Madam CHAIR: Are there any more questions on Output 5.1, Consumer Affairs?

That concludes consideration of Output 5.1.

Output 5.2 – Anti-Discrimination Commission

Madam CHAIR: The committee will now consider Output 5.2, Anti-Discrimination Commission. Are there any questions?

That concludes consideration of Output 5.2.

Output 5.3 – Registrar-General

Madam CHAIR: The committee will now consider Output 5.3, Registrar-General. Are there any questions?

Ms FYLES: Jim Laouris has just joined us at the table.

Mr WOOD: Will the government's intention to sell the Land Titles Office affect our job? How much of your role is taken up by land title issues?

Ms FYLES: That has been identified as a potential and it would depend on what model was taken up, but there is nothing specific at this point.

Mr WOOD: It would be nice to know what effect it would have if the government, which has said it will sell it, will have ...

Ms FYLES: The government said it was an identified option, not what model will be undertaken. I think you are pre-empting.

Mr WOOD: I am learning, not pre-empting. I want to make sure I have the sufficient information.

Ms FYLES: There will be plenty of scrutiny into the future of that.

Mr WOOD: I was a bit worried you would tell me the Registrar-General did not deal with land, but that is one of the issues it does deal with.

With changes to the legislation recently regarding gender, you do not have to put your gender on the birth certificate anymore. Is that correct?

Ms FYLES: That was a legislative change.

Mr WOOD: Yes, I am just seeing if this is working in practice at the moment.

Ms FYLES: I have answered the question.

Mr WOOD: If that is the case, how can we measure the life expectancies of males and females in the Northern Territory if that information is not on their birth certificate?

Mr PAECH: You would measure the life expectancy of whatever sex they identify as.

Mr WOOD: That would not help if you were trying to work out what their chromosome was when you had to deal with it. That is the fault in the legislation.

Ms FYLES: It is quite a serious issue for some Territorians. If it is a male and they match as male at the point of the death certificate, it would just be another category added.

Mr WOOD: Statistically, this is not an uncommon requirement of government to find out the life expectancy of males and females in the Northern Territory, Indigenous and non-Indigenous. If there is no classification of male and female on a birth certificate, how can we make sure the figures we are trying to collect—for good reason—are accurate?

Ms FYLES: You would have male, female and unspecified. If someone had changed from unspecified to male or female, that change would be made on their birth certificate so that on the death certificate it would match, otherwise there would be a new category.

Mr WOOD: But male and female chromosomally cannot be changed.

Madam CHAIR: Member for Nelson, estimates is about the budget. I have given a fair bit of latitude over the last couple of days. Do you have a budget-related question? These types of things could require a briefing or you can debate it in the Assembly.

Mr WOOD: Yes, but sometimes this is the only chance to ask. Under the annual report, which is part of the budget, land title and births, deaths and marriage registrations are part of the budget—\$24 000 was spent in 2018. I want to know the outcome to changes to the legislation and how that would affect the statistics that are arrived from the records?

Ms FYLES: We have answered the question. We are not going to get into a debate.

Madam CHAIR: I would prefer that reserved for the Assembly, were those debates can be had. Any further questions on the output?

Mr WOOD: I think that is a bit tough, I do not agree ...

Madam CHAIR: I gave you some latitude earlier.

Mr WOOD: Latitude—it is outcomes and this is an outcome of a change of legislation.

Ms FYLES: We provided an explanation. Just because you do not like it does not mean you have to keep questioning it.

Mr WOOD: I did not say I did not like it.

Ms FYLES: You did.

Mr WOOD: Excuse me. Not agreeing with you is not necessarily not liking the answer. I am saying I do not agree with you.

Ms FYLES: I have given you an answer, and you do not agree with it.

Mr WOOD: I honestly think the answer was insufficient because if you are looking for accuracy, that change will not give you the accuracy you need.

Ms FYLES: Madam Chair, we have provided the explanation.

Madam CHAIR: I am satisfied that has occurred. Any further questions?

That concludes consideration of Output 5.3.

Output 5.4 – Public Trustee

Madam CHAIR: The committee will now consider Output 5.4, Public Trustee. I note that Jim, you are also the Public Trustee. Are there any questions?

Mr WOOD: One question in relation to the *Criminal Property Forfeiture Act*. You mentioned in the annual report that you realised \$556 000 in property forfeiture under the *Criminal Property Forfeiture Act*. The police, in their annual report, quoted \$959 125. What happened to the bit in between?

Mr LAOURIS: Police usually take a valuation of a property when they seize it. For the Public Trustee, however—let us say it is a house. We will value the property. If there is a mortgage on the property, we will sell the property, pay out the mortgage and the figures reported are usually net.

Mr WOOD: Yours is cash; theirs is value.

Mr LAOURIS: The valuations might be different as well. I am not quite sure what valuation methodology they use, but let us say again, for the Public Trustee with a house, we would get a licensed valuer to do the valuations. There might be some variances in those figures, too.

Mr WOOD: Who keeps the money?

Ms FYLES: The government.

Mr LAOURIS: We do not, it goes to the government

Mr WOOD: Bad luck, I thought it might help your section. I have no further questions.

That concludes consideration of Output 5.4.

Output 5.5 – The Children’s Commissioner

Madam CHAIR: The committee will now consider Output 5.5, The Children’s Commissioner.

While we are changing over, I will note the Minister for Territory Families has overall responsibility for the care and protection of children under the *NT Care and Protection of Children Act 2007*. I note that the Attorney-General and Minister for Justice is responsible for Part 3.3 of the act relating to the prevention of child deaths.

Ms FYLES: Ms Colleen Gwynne, the Children’s Commissioner, has joined us.

Madam CHAIR: Are there any questions?

Mrs FINOCCHIARO: Commissioner, your own initiative report highlighted the need to monitor cumulative harm, with respect to individual children and families interact with Territory Families and police. Can you please update us on what has been done to track cumulative harm?

Ms GWYNNE: That is a recommendation that went to the Department of Territory Families and they have undertaken a number of things. That may be better answered by that department in terms of their strategies.

Mrs FINOCCHIARO: In March, it was announced that the Office of the Children’s Commission would be monitoring detention facilities. Could you give us an update on how that is progressing and whether there have been any problems with access for your team?

Ms GWYNNE: No problems with access. We have undertaken two formal monitoring visits, one of the Don Dale Detention Centre and the other one at the Alice Springs Detention Centre. Both reports are in the process of being forwarded to our minister. I guess that is a question for the minister in terms of the timing for tabling, but reports are with the minister as of this week.

Ms FYLES: We have just received those reports and will table them within the legislative requirements in the Assembly.

Mrs FINOCCHIARO: At estimates last year, we discussed the role of the Children’s Commissioner in monitoring child protection systems into the future. I think at that time you mentioned there was a recruitment process for your office that was under way. Can you please update us on what has happened since last year and how things have progressed?

Ms GWYNNE: As a result of the royal commission and the recommendations arising out of that, stage one included four more positions for my office for the purpose of monitoring not only youth detention but child protection and bail support centres. We have established those positions and are in the process of recruiting to those positions. I can confirm that we have two of the four positions filled at this time.

Madam CHAIR: Are there any further questions on that output? That concludes consideration of Output 5.5.

Output 5.6 – Office of the Public Guardian

Madam CHAIR: The committee will now proceed to Output 5.6, Office of the Public Guardian. Are there any questions?

That concludes consideration of Output 5.6.

Output 5.7 – Health and Community Services Complaints Commission

Madam CHAIR: I note that questions regarding Output 5.7, Health and Community Services Complaints Commission will be answered by the Minister for Health later today. That concludes consideration of Output Group 5.0.

OUTPUT GROUP 6.0 – REGULATORY SERVICES

Output 6.1 – Licensing NT

Madam CHAIR: The committee will now proceed to Output Group 6.0, Regulatory Services, Output 6.1, Licensing NT. Are there any questions?

Mrs FINOCCHIARO: There is \$5.745m budgeted for the BDR for the next financial year. Can you please explain why we need to spend \$5.7m on the BDR? What is the breakdown of this amount?

Ms FYLES: The Department of the Attorney-General and Justice is allocated \$5.7m for operating and supporting the BDR technology and for reporting. That is around reactivation and continuation of the BDR technology. There are helpdesk and compliance functions, court administration, data and research capacity and the BDR system management.

There are associated costs to interface the BDR with IJIS, the health systems and the BDR Registrar. There is online portal maintenance which is used by our licensees. There is also the support to the takeaway alcohol management system costs; stakeholder management costs to support the BDR such as training and resources; there are the DCIS costs which is for the helpdesk, the router, the desktop services, communication network expenses et cetera; the software and the apps ongoing development and maintenance and enhancements. There are a number of security audits to ensure that we provide a system ...

Mrs FINOCCHIARO: So, that cost is mainly for IT, essentially.

Ms FYLES: Software and IT but also the staff who back that up. We have over 250—I do not have that figure in front of me—systems across the Territory and if the system goes down, there is support for those licensees to ensure that they meet their legislative ...

Mrs FINOCCHIARO: How many staff support the BDR?

Ms FYLES: It is about \$700 000 in dollar figures for staff. I do not have the breakdown of FTEs, but I can get that. It also interfaces with DCIS. There are staff in Licensing but also in DCIS. If the system has a glitch for some reason, DCIS would notify us and then we would rectify the fault.

Question on Notice No 4.22

Madam CHAIR: Member for Spillett, please restate the question for the record.

Mrs FINOCCHIARO: How many staff are employed by AGD directly relating to the Banned Drinker Register and how many provide support from DCIS?

Madam CHAIR: Attorney-General, do you accept the question?

Ms FYLES: The AGD element is fine. In terms of the DCIS, it goes through to a helpdesk. It would be a rather global figure, but we are happy to provide some information.

Madam CHAIR: The question that has been asked by the Member for Spillett of the Attorney-General has been allocated the number 4.22.

Mrs FINOCCHIARO: What do BDR staff have to do?

Ms FYLES: There is helpdesk, licensing ...

Mrs FINOCCHIARO: When you say 'licensing', what do you mean?

Ms FYLES: The licensing helpdesk ...

Mrs FINOCCHIARO: A licensing helpdesk—is that if you are a bottle shop owner, you can ring a helpdesk and there is an AGD person answering that call?

Ms FYLES: It goes through to DCIS to start with and then an AGD person will provide that support.

Mrs FINOCCHIARO: Is it mainly to do with compliance or technical glitches with the system?

Ms FYLES: Technical glitches—an example from earlier this year is that we had an outlet that was having a technical glitch. It went through to DICS. As soon as we were notified we were able to help them rectify it. Sometimes it might mean that the actual equipment has failed. Sometimes it can be resolved through IT updates or changes.

Mrs FINOCCHIARO: These people who are employed, are they able to provide that technical support? A liquor outlet puts a call through the helpdesk, DCIS then send it to someone in AGD. Is that AGD person then able to assist remotely or do they physically go to the location?

Ms FYLES: DCIS will try to assist remotely, as those staff are available quite regularly. If it is not able to be rectified, we have FTE staff who will go out and assist.

Mrs FINOCCHIARO: Does a licensee have to stop operating when their machine is having a technical glitch?

Ms FYLES: It depends as sometimes it is a scanning issue, so they are able to manually enter the information. Sometimes the system goes offline—what would happen is that they keep operating, and when the system comes back online, we are alerted to anyone who might have breached their BDR conditions. That is then a breach of their BDO.

Mrs FINOCCHIARO: How would you know? An operator can continue to sell—they have to manually record the data?

Ms FYLES: Sometimes they can scan it, sometimes they have to do it manually. The system is offline so to speak, and when it comes back online we are alerted to anyone who might have breached.

Mrs FINOCCHIARO: They might be able to continue to scan, it is just not sending the information where it needs to go?

Ms FYLES: Correct.

Mrs FINOCCHIARO: So, you could have sold alcohol to someone who has breached?

Ms FYLES: Correct, but then as soon as it comes back online that breach is notified. That happens rarely, but there is the ability for the system to continue while it is offline. They would be notified post ...

Mrs FINOCCHIARO: Who owns all the scanners and the whole system? Is it AGD?

Ms FYLES: Some of the equipment is leased and some of it we own. Most of it—the previous version—we were able to repurpose a little bit of, but technology had moved on. When we set the BDR up we went through this.

Mrs FINOCCHIARO: So AGD pays the cost of that, not the licensees?

Ms FYLES: The licensee does not pay any costs, the AGD pays the costs.

Mrs FINOCCHIARO: Is a portion of that \$5.745m for that leasing?

Ms FYLES: Yes, absolutely.

Mrs FINOCCHIARO: What component of the \$5.745m is for leasing?

Ms FYLES: I would have to get that breakdown for you.

Ms FYLES: I will take that on notice.

Question on Notice No 4.23

Madam CHAIR: If you would like to restate that for the record please, Member for Spillett.

Mrs FINOCCHIARO: Could the Attorney-General please break down the \$5.745m allocated in the budget to the Banned Drinker Register into leasing costs, equipment purchase costs, staffing and other areas?

Madam CHAIR: Minister, do you accept that question on notice.

Ms FYLES: Yes.

Madam CHAIR: The question that has been asked by the Member for Spillett of the Attorney-General has been allocated the number 4.23.

Mrs FINOCCHIARO: With the leasing of the BDR equipment, what is the lease term?

Ms FYLES: That is a very specific question—are you intending on scrapping it?

Mrs FINOCCHIARO: No—well, that may be the case. I wanted to know because if it is five years there may be additional costs to government—as in, Territorians—in the future. I wanted to know the length of the term ...

Mrs LAMBLEY: How long are we stuck with it?

Ms FYLES: The BDR is a simple and effective tool to stop the supply of alcohol—you are the first one to go on about antisocial behaviour and alcohol-related crime. When the federal government looked into this issue it was recommended as a tool. People showing identification before they purchase alcohol—there are areas that look at it, particularly Western Australia.

We do not apologise to Territorians for putting in measures to stop alcohol-related crime. We are happy to find out the terms of the leases—because you clearly will scrap this, and that is a point of difference for Territorians.

Mrs FINOCCHIARO: Do not put words in my mouth, Attorney-General. You are better than that. I did not say we would scrap it; I am asking about the lease term because it is a cost to Territorians. We are talking about \$5.7m a year, presumably ongoing.

Ms FYLES: If we are talking about costs, I will talk about the \$1.38bn that alcohol-related harm costs our community every year ...

Mrs FINOCCHIARO: That is wonderful, and we hear that. I am asking a specific budget-related question during budget estimates. I will ask that question on notice.

Question on Notice No 4.24

Madam CHAIR: Member for Spillett, please restate your question for the record.

Mrs FINOCCHIARO: What is the term of the lease for the BDR equipment and whatever is involved in leasing that?

Madam CHAIR: Attorney-General, do you accept the question?

Ms FYLES: Yes.

Madam CHAIR: The questions asked by the Member for Spillett is allocated the number 4.24.

Madam CHAIR: Are there further questions on Output 6.1?

Mrs FINOCCHIARO: What will the anticipated fireworks licence fee look like, as proposed in the root-and-branch review?

Ms FYLES: That was identified by government, and there is a cost to Territorians when it comes to fireworks. I have spoken to some people in the industry. At the moment there are two different categories of licence. One is below a certain amount and one is above. Could we break that down further to be more responsive to businesses? Then the fees would match that.

Mrs FINOCCHIARO: You are looking at two different fee structures.

Ms FYLES: Currently there are two different fee structures. We are looking at whether that is the best way for businesses, having two fee structures, and whether we would break that down even further and have the fees correspond to that.

Mrs FINOCCHIARO: So, depend on quantity being sold or ...

Ms FYLES: Correct. They are based on quantity. There are two figures, so would we break that down even further.

Mrs FINOCCHIARO: Is there an anticipated revenue the government wants to achieve from this?

Ms FYLES: It has been identified and it is difficult. We do not want to hike people's power prices up—we want to make sure the measures we put in place impact on Territorians day to day as little as possible. It has been a cost to the community from fireworks. One thing is to look at the sale of fireworks and the licensing of that.

Mrs FINOCCHIARO: When will that fee structure be sorted out? Is it for this cracker night?

Ms FYLES: No, it will not be in place for this financial year. I have spoken to businesses about this and heard from them what they would like to see. Some are quite open to this. No one wants to pay any more, but they can see the position the government is in, so we are looking at defining those categories and then the fees.

Mrs FINOCCHIARO: With the change in structure of the Liquor Commission, how is it funded?

Ms FYLES: When we introduced that legislation we provided a budget for the independent Liquor Commission. With the Liquor Bill currently before the parliament, that will be the final but significant step in those changes. We will have licensing that will provide administrative support and then the independent commission that will make those decisions. There is remuneration for that area to conduct its business.

Mrs FINOCCHIARO: Is that separate funding from Licensing NT's budget?

Ms FYLES: Correct.

Mr WOOD: Did the government put in a submission to the application for a licence for Dan Murphy's?

Ms FYLES: The process for the independent Liquor Commission is that Health and Police have to provide advice on the impact. That is enshrined in the legislation, as you would be well aware. For us as a government it is about setting the processes that are independent of us, but making sure the key agencies that deal with alcohol-related harm, such as Police and Health, have the processes. The Commissioner of Police and the Chief Executive Officer of Health provide a response to all liquor applications through the commission process.

Mr WOOD: I can ask you when you put your other hat on.

Ms FYLES: Part of the legislation is that they have to provide a response, but it is not that government puts in a submission. We have set the processes up so we hear from those key agencies.

Mr WOOD: I suppose asked that—government did not really want this to go ahead, because of that 400 square metre rule. I am interested in what your role was in relation to whether the government supported this submission or had some concerns about it.

Ms FYLES: It is not for government to support or not support individual licence applications. What we need to do as a government is to acknowledge the huge cost that alcohol causes our community each and every day, but also the rights of Territorians to have a glass of wine and celebrate with friends. You asked the question and then you do not want to engage in the response. I want to see a system that provides for Territorians ...

Mr WOOD: I beg your pardon, it is not that I do not want to engage in the response. I would get hit on the head by the Chair if I drift off—that was not the question. I support quite a few things about restricting the amount of alcohol. I am the one who said I lived out bush and saw many young people die. Please do not think I am coming here with a different point of view than yours.

I am just saying, and am interested to know, whether the government put in a submission—which I was interested in—about a liquor store that you did not support in the beginning? If you did put in a submission, I would have been interested in what you have to say about the submission. Not about ...

Ms FYLES: I am explaining the process. It is not about whether government supports something, it is about government supporting out community when we see the future cost of alcohol ...

Mr WOOD: All I know now that the Health department and Police have put in a submission.

Ms FYLES: As they do with every application.

Mr WOOD: That is okay, I might ask you with your Health hat on.

Minister, there were 168 restricted private premises. Where are most of these premises found and how are they managed when it comes to breaches? This is where put a restriction—'No alcohol in my house.' There are 168 of them. I think it comes under a section in the annual report.

Ms FYLES: Anyone can make an application, but they are mainly public housing properties.

Mr WOOD: But I did not know who enforced it. As I said, it is a liquor issue. I imagine they restrict it under the *Liquor Act 1978*.

Ms FYLES: My understanding is that it is the owner of the premises who ...

Mr WOOD: Which is the Housing Commission.

Ms FYLES: Not necessarily, it could be a private landlord that applies for that, but it would then be on the onus of them.

Mr WOOD: Is it registered with the Licensing Commissioner that these houses are restricted private premises? There must be some legal basis that you can put down on your house, therefore what is the control to make sure people do not breach that?

Ms FYLES: It is mainly used for public housing, so there are those processes around that. It can be registered, as I understand, with licensing. We can get some more information and provide that to you.

Question on Notice No 4.25

Madam CHAIR: Member for Nelson, please restate your question for the record.

Mr WOOD: Madam Chair, there were 168 restricted private premises. Where are most of these premises found and how are they managed when it comes to breaches?

Madam CHAIR: Do you accept the question, Attorney-General?

Ms FYLES: Yes.

Madam CHAIR: That question asked by the Member for Nelson of the Attorney-General has been allocated the number 4.25.

Mr WOOD: Minister, if the licensing annual report can show the number of gaming machines and turnover for SKYCITY—now Mindil—and Lasseters, why can it not show those figures for all other gaming venues as it used to?

Ms FYLES: It is in the Director-General's report. Previously they had provided them by location. Last year in the Director-General's annual report it shifted to the top 10 locations. Because we are shifting away from the Director-General model, there is not actually an output for Director-General. I am trying to get some information without trying to cut you off.

Mr WOOD: It concerns me that I could get that information a couple of years ago. I ask questions about it year-in and year-out, and all of a sudden that information is gone. I think it is important information, because then you can start to identify where money is being spent and get a realistic view of what communities and what parts of the Territory where a lot of money is being spent on gambling.

Ms FYLES: Because of the changes we are making, the Director-General annual report will not exist, I think that the information you are talking about is important. We have not decided on how that will be communicated. I am sure you will hold us to account in the future, but in regard to what we do going forward, I am happy to consider that and come up with a way that that information is communicated with the public.

Mr WOOD: It did look strange that you could have the takings for the casinos—it shows them the handle, but it did not show the amount for the rest.

During the 2017–18 reporting period, the average gross profit per machine per day was \$188.35, compared to \$171.16 in 2016–17. Gaming machine gross profit has increased by 11.83% to \$103.397m in 2017–18, up from \$92.461m during the 2016–17 reporting period.

Can you say what venues increased the most, and does this increase include casinos' profits?

Ms FYLES: We do not have that information here. I have raised this specifically before, and I have been pushed back in regard to commercial in-confidence.

I take on board the points you are raising, Member for Nelson. It is important for the community to have an understanding of this. We actually have put money into getting that gambling amelioration study to understand how we can support people.

I would be happy to provide a written response to you, but also going forward, as we have a change in the reporting mechanisms, how best we provide that information in terms of people being able to see it.

Mr WOOD: Could I put a smaller version of that question to the minister on notice?

Question on Notice No 4.26

Madam CHAIR: Member for Nelson, please restate the question for the record.

Mr WOOD: In relation to an 11.83% increase in gaming machine gross profit, can you tell us what venues in the Northern Territory increased the most and did that increase include casino profits?

Ms FYLES: Yes, we will endeavour to provide as much information as we can, noting that some of it might be commercial-in-confidence.

Madam CHAIR: The question asked by the Member for Nelson of the minister has been allocated the number 4.26.

Mr WOOD: I should note that there was not a commercial-in-confidence issue years and years ago.

Madam CHAIR: We have a commitment to check that out.

Mr WOOD: Last question, tell me if I am in the wrong area, who sets the Community Benefit Fund allocation and does it come under the efficiency requirements of the government? Is it cut back? I presume that money comes from gambling?

Ms FYLES: Yes, the contributions are set by legislation. We debated that bill not that long ago. No, it does not come under efficiency dividends. We did that review on the program. The feedback I have from the community is that it is working well.

We would, into the future, want more community groups to be able to access that. There are some that cannot access it at the moment because of restrictions on schools and councils, but we certainly do not have any intention to change that in terms of the money. We want to make it more agile for people to access.

Mr WOOD: While I have the opportunity, I mentioned Wildcare and Land for Wildlife. They have lost their money this year. Do they have any option to go through the Community Benefit Fund, or can they not use that?

Ms FYLES: I do not know off the top of my head right now whether they would be eligible or not. I think that what you are raising is an important question. There are a number of important community groups that cannot access CBF. We need to be careful that people who can access it, that we do not inadvertently lose accountability for it. But that is something I would like to see. I am sure Wildcare did get some funding through ...

Madam CHAIR: Can we have that discussion offline if there is no question to be asked?

Ms FYLES: I am happy to work with community groups because, particularly in these tight fiscal times, the Community Benefit Fund is a good access to get resources and programs. The three-year events funding has gone really well. The small grants are now turned around within four weeks. Sometimes the department is a bit slow, it is never me. We are finding that is being very responsive. I know there were concerns about managing the total allocation, but that to date is working very well. We certainly might, to make it more responsive to the community's needs.

Madam CHAIR: Any further questions on Output 6.1?

Mrs FINOCCHIARO: I just have one more question that I asked earlier, and you referred me to this output, that was on the floor price and unintended consequences. How is the government measuring the success or failure of the floor price? How is it measuring the impact on the abuse of other substances, such as vanilla essence, mouthwash, and some of those other problems we hear about?

Ms FYLES: We know that with alcohol-related harm, as you block one measure people will go to another measure. You need to have the appropriate rehabilitation and supports for them. One of the—whether it is the floor price, but we have seen, and this has been anecdotal from Police to me, with vanilla essence and mouthwash. In the new Liquor Act we are providing provision to support police in their efforts in stopping people using those products to cause harm.

Mrs FINOCCHIARO: Will you be looking at measures to stop vanilla essence and mouthwash?

Ms FYLES: Giving police the ability and powers to stop people from using those products to get intoxicated, yes.

Mrs FINOCCHIARO: How, practically, do you do that—giving police powers? It is not really a police power issue is it?

Ms FYLES: It is very practical actually. Police would have the ability to tip out mouthwash in public spaces. It is similar to what we have seen with methylated spirits. In harm reduction measures around the world, stopping the supply does have an impact, but other people do switch product. We have worked police on that, making sure they have the powers they need for those particular products at the moment, but also going forward.

Mrs FINOCCHIARO: Do police have the power to tip out those two products?

Ms FYLES: They will under the new act, if it is in a public place.

Mrs FINOCCHIARO: Are you looking at restrictions on the sale of those goods?

Ms FYLES: We have dealt with methylated spirits with local measures. Each community is different, there is no blanket measure Territory wide. We would see, working with retailers in communities and giving police the ability to tip out mouthwash, which has been particularly problematic here in the Top End—I have certainly heard examples.

Madam CHAIR: That concludes consideration of Output 6.1.

Output 6.2 – NT WorkSafe

Madam CHAIR: The committee will now consider Output 6.2, NT WorkSafe.

We are waiting for a quick changeover of support staff.

Ms FYLES: Melissa Garde has joined us from NT WorkSafe.

Madam CHAIR: Are there any questions?

Mrs FINOCCHIARO: Is there any way for the public or private companies to access the WorkSafe history of a particular company? Is there a register where you can look up XYZ company and see their WorkSafe record?

Ms FYLES: No, we do not have the information that would be accessible in that way. I am not sure if there is a background to your question?

Mrs FINOCCHIARO: No, I thought if you were a prospective employee, could you search that information to see if your employer has had infringements?

Ms FYLES: It is having an acknowledgment of worker safety. That is important to have, and there are the mechanisms and strong legislation.

Also, that there are the mechanisms for employees. It is obviously difficult if you are an employee. You do not want to call your employer out, it is having those processes and having a culture of worker safety, which is what we are doing through the Lyons review and changing that in the Territory.

Prosecutions and enforceable undertakings are available on the website.

Mrs FINOCCHIARO: If there is a history—if they have been prosecuted ...

Ms FYLES: Correct.

Mrs FINOCCHIARO: Is that information taken into account for government tenders? When the government is assessing tenders, does it look at WorkSafe history as a factor?

Ms FYLES: It might be a question you would ask the department of Infrastructure. People have to comply with Worksafe regulation legislation. If you have accompany that is not complying with that, then they are potentially breaking the law. It would be a standard condition of tender to comply.

Mrs LAMBLEY: Minister, I think it is great that you are the minister responsible for WorkSafe. I remember a few years ago, you were the subject of a threat of physical violence by a former minister, Minister John Elferink, and at the time you were quite upset and disturbed, as we all were, by that terrible threat of violence that occurred in the Northern Territory Parliament. This week, we have heard Minister Lawler threaten to bash the chief of staff of the Leader of the Opposition.

What are the penalties for this sort of behaviour? Obviously, the behaviour of Minister Lawler has cost Territory taxpayers quite a bit of money in workers' compensation and other services provided to her as a fallout of that threat of intimidation and violence.

What is the cost to Territory taxpayers of this sort of behaviour and what are the penalties for this sort of behaviour? In this particular incident, seeing it is out in the public, what will the penalties be against Minister Lawler for threatening to bash Sharon Mulholland?

Madam CHAIR: Minister, this is budget-related, could you refrain that as a budget-related question?

Mrs LAMBLEY: I have, the cost to Territory taxpayers.

Madam CHAIR: On that specific ...

Mrs LAMBLEY: You do not want them to answer this, Chair? Every time I ask a tricky question you step in and try to prompt me. The question is, what are the penalties and repercussions for this behaviour and what is the cost to the Territory taxpayer?

Ms FYLES: In terms of this specific of that case, that would be a question for DCM, as the employer. What I can say is that everyone has the right to go to WorkSafe. We have been talking about prosecutions and enforceable undertakings, when people think about WorkSafe, they often think it is about construction sites and those types of things, but bullying and harassment is an important part of that.

The work we have undertaken with Tim Lyons, the review of the culture of worker safety in the Territory, is important. Everyone has the right to feel safe in their workplace and the right to call it out. I understand that Minister Lawler made that comment not intending to cause any harm, but as soon as she was aware that it had, she immediately apologised.

Stepping away from that, Madam Chair, more broadly we want to make sure workers—particularly in this day and age when technology means we are working remotely. That its advantages but it also impedes into personal time. I think that it is a really important area that we look at into the future, not just physical workspaces, but more than that. That Worksafe review we have undertaken—I have also had conversations with stakeholder bodies that are particularly concerned about that, making sure there are appropriate for people to call it out for systemic change or call out individual instances.

Mrs LAMBLEY: What is the cost of this sort of behaviour?

Ms FYLES: In terms of that question, of that specific incident, I again refer to DCM as the employer. I do not have any figures presented to me on the total cost Australia or Territory wide ...

Mrs LAMBLEY: Of workers' compensation?

Ms FYLES: Of workers' compensation we have figures, but you were talking specifically on things that are potentially not traditional Worksafe issues.

Mrs LAMBLEY: Sorry, I was referring to workers' compensation. There was a workers' compensation claim paid to Ms Mulholland. But generally, what is the cost of this sort of behaviour to the Northern Territory—workers' compensation?

Ms FYLES: You are talking about behaviour? There are different aspects to it. I am not sure, can you refine your question?

Mrs LAMBLEY: Workers' compensation—the cost of workers' compensation when it comes to workplace bullying and harassment.

Ms FYLES: There you go, you are breaking down into bullying and harassment, or are you talking about Worksafe generally?

Mrs LAMBLEY: Worksafe generally then, if that is easier for you?

Madam CHAIR: A global figure?

Mrs LAMBLEY: Yes.

Ms FYLES: We believe that there is information that is presented every year on Worksafe in the Territory, so we will look at that information and provide a response.

Mrs LAMBLEY: Can we put it on notice please?

Question on Notice No 4.27

Madam CHAIR: Can you please restate the question, Member for Araluen.

Mrs LAMBLEY: What is the cost of workers' compensation to the Northern Territory taxpayer annually?

Ms FYLES: It would not be to the Territory taxpayer necessarily. It would be, 'What is the cost of workers' compensation in the Northern Territory?' That is my suggestion.

Madam CHAIR: Are you happy with that?

Mrs LAMBLEY: Yes.

Madam CHAIR: The question by the Member for Araluen of the Attorney-General has been allocated the number 4.27.

Mr PAECH: Attorney-General, you mentioned Mr Lyons did some work as part of a review. Are you able to walk us through what that review entails? If I may—what are your plans in that role in terms of industrial manslaughter?

Ms FYLES: If I could answer the second part of your question first?

Mr PAECH: Sure.

Ms FYLES: In terms of industrial manslaughter, currently someone can be charged with manslaughter whether it is at a worksite or not. But we have jurisdictions—I think the ACT, Queensland and Victoria—have gone to an industrial manslaughter. There was a national report handed down earlier this year in this space, because in Worksafe legislation we have had national legislation. It has been my preference that we stay in sync with that legislation. That report did note industrial manslaughter.

We had hoped there would be national legislation, but that has not happened. We are preparing industrial manslaughter legislation for the Territory.

Mr PAECH: That would be the Territory's own, it is not in line with any other jurisdiction? Or there will be components that it would be in line with, but it is not uniform legislation.

Ms FYLES: It would be our legislation. It is not straightforward, but we certainly think it is important. I imagine that would be progressed through the Legislative Assembly in the latter part of this year. In terms of the Lyons review, as we have come to reference it, that final report into NT WorkSafe was released in March this year. We are currently working through the recommendations that were provided. I will release a response from the government in the near future.

It is important that we have the best model to protect Territory workers and support business. The purpose of that review was to undertake a comprehensive assessment of the effectiveness of NT WorkSafe. It looked at present policies, procedures, activities, how we couple implement best practice to support staff and the industry. There were 27 recommendations and six findings. We will work through that.

The Member for Araluen's question—we have seen a shift in workplaces. That will encompass that.

Mr WOOD: On the Member for Namatjira's question, minister, unfortunately there has been a number of tragic fatalities at worksites this year. I presume the Coroner has a report and the police do a report. Does WorkSafe also do a report and are those reports published when completed?

Ms FYLES: The process is that we do investigation and prepare a brief that goes to lawyers to see whether there should be prosecution.

Mr WOOD: I asked that was—and it may be pre-empting the changes you bring in—because I was wondering when they have looked at particular reasons why people lost their lives on a work site, do they then come back after looking at what happened and give recommendations, perhaps to the government, of improvements that could be put in our legislation to at least try to stop these things happening again?

Ms FYLES: There are safety alerts after an incident which are put out by WorkSafe. They would also provide me, as the minister, with a brief and then I may need to make some changes. That might not necessarily just be to my department. This work is about looking at it in general, but also investigations and prosecutions—enforceable undertakings are sometimes used as an alternative to a prosecution. It is an area we are working on.

Madam CHAIR: That concludes consideration of Output 6.2 and Output Group 6.0.

The members to my left have indicated that they have no further questions for the Attorney-General with that hat on. If we go to Output Group 7.0, Corporate and Governance, can you indicate to me after that if you have any further questions for the Attorney-General.

OUTPUT GROUP 7.0 – CORPORATE AND GOVERNANCE

Output 7.1 – Corporate and Governance

Madam CHAIR: We will now consider Output Group 7.0, Corporate and Governance, Output 7.1, Corporate and Governance.

Mr WOOD: Minister, I raised this question earlier, but I was informed that it should be in this section. It is relation to the position of the general manager at the prison. Originally we had a position for general manager and an advertisement was put out for that position.

Mr Ken Meddlebrook was selected as the best candidate by an independent panel, including—he had a reference from Supreme Court Judge Stephen Southwood. The decision was then made to scrap that position. Who made that decision and why was the position scrapped?

Ms FYLES: We did not suggest that this question could be asked in this output.

Mr WOOD: The suggestion was from the Chair that I should have asked this question in Governance. But I have asked the question; it is a governance question.

Ms FYLES: It is an operational matter, it would not be for me to answer.

Mr WOOD: Someone would have made the decision to scrap the position.

Ms FYLES: We answered the question previously when the Corrections commissioner was here; we did not suggest to answer it here.

Mr WOOD: Well, can I put my questions on notice, please?

Madam CHAIR: I will hear what the question is first, please restate the question for the record.

Mr WOOD: Originally there was a position that was advertised with corrections for a general manager. An independent panel deemed that Mr Ken Middlebrook would be the outstanding candidate to fill that position. Not long after, the position of general manager was scrapped. Who made that decision and why was it scrapped?

Who made the decision to re-instate the position and why was it re-instated? When the position was re-instated was there an independent panel to assess the best person for that position?

Ms FYLES: I will not take that question, Madam Chair. It does not relate to budget ...

Mr WOOD: Yes it does; it is governance.

Ms FYLES: ... and is not anything to do with the role of AG.

Madam CHAIR: Member for Nelson, I have to ask if the minister accepts the question. She has indicated otherwise. I just received advice that that is where the questions lays. Your question will obviously go on the record ...

Mr WOOD: With no answer.

Madam CHAIR: The minister has indicated that it is an operational matter and is not able to provide the answer to you.

Mr WOOD: I think for an open and transparent government—this is the reason we have estimates hearings, for outcomes.

Ms FYLES: But it is nothing to do with the budget.

Mr WOOD: It is. You are employing someone, then you scrap the position, then you bring back the same position and employ someone else. You have reduced your spending one minute, then increased it by the same amount the next. We have an outcome—we have a general manager one minute, then we lost him, then we have him the next minute. It is more than operational; it is policy.

Ms FYLES: I have provided an explanation and I do not believe it is related to the budget or the role of AGD.

Madam CHAIR: We will park it there.

Mr WOOD: I want to put on the record that I think that is an unsatisfactory approach to what is supposed to be an open and transparent process.

Madam CHAIR: Thank you, it has been noted. Are there any other questions on Output 7.1?

That concludes consideration of all output groups relating to the Department of the Attorney-General and Justice. On behalf of the committee I thank the officers who provided advice to the Attorney-General today, and those who are sitting behind to provide the advice.

The committee will proceed after a short break to consider outputs relating to the Department of Health.

Mrs FINOCCHIARO: On behalf of the opposition, I thank AGD for all the support they provided the minister today.

The committee suspended

DEPARTMENT OF HEALTH

Madam CHAIR: Minister, I invite you to introduce the officials accompanying you and, if you wish, to make an opening statement regarding the Department of Health.

Ms FYLES: Thank you, Madam Chair. Would you like me to make the opening statement now or just introduce my officials?

Madam CHAIR: Both please.

Ms FYLES: Thank you for the opportunity today. With me are: Professor Catherine Stoddart, the Chief Executive Officer of the Department of Health; Dr Maggie Jamieson, Deputy Chief Executive Health Policy and Strategy; and Ms Tamara Biro, Acting Chief Financial Officer. We also have a number of officials from the health services and different sections behind us and I thank them for their patience, as they have been waiting. I will re-introduce any of those executives to answer any specific technical questions.

Throughout the year we have continued to deliver strong performance in health sector on our key priorities: giving children the best start in life; providing care closer to home; creating jobs; and strengthening the regions. We are doing this in a time of fiscal restraint and with the guiding plan for budget repair being implemented. We are not a government that simply slashes services and jobs. We are doing it in a sensible and targeted way with investment in our children and safer communities as our focus.

The NT Health reform program has been in place since mid-2018 and has made significant inroads into achieving deliverables. Similar to Corrections, we have worked with an independent body to look at the Health budget, noting that the Health budget for many years has gone over budget, but we provide such essential services to Territorians. We will continue to deliver, improving models of care for Territorians no matter where they live by delivering improved travel management, workforce and procurement reform, and maximising external revenue for services that are more efficient and safe.

The Health budget, as we know, in 2019 is \$1.72bn, which is a record investment in the health of Territorians. The budget delivers on our commitments of creating local jobs, safer communities and investing in generational change. The NT budget is also expected to increase in the coming months as negotiations for a number of tied funding agreements are finalised with the Commonwealth, along with election commitments. That is \$25.7m for Alice Springs Hospital ambulatory care centre, \$14m for Royal Darwin Hospital for mental health care, \$2.3m Katherine Hospital consulting rooms, \$3.2m for the design and construction of staff accommodation at the hospital there, and \$750 000 for remote point of pathology testing infrastructure support to TeleHealth.

The year 2018–19 saw the further evolution of the governance structure of the NT public health system with the passage of legislative changes to streamline the governance of our public health system, which take effect from 1 July 2019. Madam Chair, I would like to acknowledge the service administrators, Mr Paul Tyrell and Mr Graeme Simons, for the Top End Health Services, and Ms Pat Miller, for the Central Australian Health Service, for providing expert leadership and experience to the health services during this important transitional phase.

In this budget we have funding for our plan of Starting Early for a Better Future 2018–2028, which sets out the path for generational change and our shared responsibility for our children. We have a vision that on day one, term one, year one, our kids are ready to learn, and that we have children being raised in loving families in homes that offer safety and comfort. We are expanding the home nurse visiting program rollout in the East Arnhem, Katherine and Barkly regions. We are also working with Miwatj Health, Katherine West, Sunrise and Anyinginyi Health Aboriginal Corporations to deliver these.

In line with our commitment to delivering services closer to home and local decision-making, the Aboriginal community-controlled health services and their boards and local community stakeholders determined the roll-out of those locations. The mesh assists families to engage in good health practice and links them into social, community and health services to improve a child's health and development.

We are well advanced at implementing our government's alcohol reforms, and we touched a little on these earlier today. Our evidence-based reforms are showing early positive signs. To date we have seen a 44% reduction alcohol-related assaults in Alice Springs between September to December 2018, compared to the previous year; a 24% decrease in alcohol-related emergency department presentations in Northern Territory hospitals between September to December 2018 compared to the previous year; and a 22% decrease in alcohol-related emergency department presentations in NT hospitals in the January to March quarter compared to the previous year. We have seen a significant amount of alcohol being seized, and the minister for Police spoke on that work.

We have evaluated the Banned Drinker Register and reviewed sobering-up shelters to ensure that our reforms are operating to deliver the best outcomes. There will be continued work from those reviews. We have seen an increase in the people receiving assessments for problem alcohol use compared with the same period before the introduction of the BDR.

Mental health is sadly a serious issue nationally, and no more so than in the Northern Territory. We are delivering on our election commitment to reduce the rates of suicide and we have the Northern Territory Suicide Prevention and Strategic Framework Implementation Plan, which I was very pleased to launch in August last year. We have money in this budget for community-based grants to support supports and resilience into local communities. We have also had programs, such as jointly funding the MATES in Construction, just one approach to tackling these issues.

The Northern Territory Government is looking forward to the full roll-out of the NDIS and we will contribute \$103m per annum for the NDIS in the Northern Territory. This will not only create jobs in both urban and remote areas, but it will allow people with a disability to live and engage with their local community.

As we move to the full scheme of the NDIS, the government will continue to provide funding for critical services, such as community allied health services for children and adults, community equipment and modification services, forensic disability services and ensuring that people not eligible for the NDIS can still access allied health supports.

I spoke on the 'Pathways to Community Control'. We have also delivered significant health infrastructure, such as the Palmerston Regional Hospital, the PET scanner and cancer care expansion, the RDH multistorey car park, the Gove Hospital emergency department, the Alice Springs Palliative Care facility. The Nightcliff Renal Unit is well under way. We have provided new and upgraded morgues in remote communities. We have delivered on primary health centres as well as the Katherine ambulance station and we will continue to ensure that we have strategic investment in health infrastructure going forward.

I thank the committee and welcome the opportunity to take questions.

Madam CHAIR: Thank you, minister. Are there any questions relating to the statement?

Mrs FINOCCHIARO: I wanted to ask about the efficiency dividend that your agency is trying to achieve in 2019–20.

Madam CHAIR: Is there a specific question, or do you want a broader answer on the dividend?

Mrs FINOCCHIARO: I want to know what the amount is.

Ms FYLES: The figure for the Department of Health is \$8.4m.

Mrs FINOCCHIARO: How is it planned to achieve that saving?

Ms FYLES: As I said in my written statement, the Department of Health, with the Top End and Central Australia Health Services, has done a significant body of work looking at the budget. I think it is once in the last decade that the health budget has been delivered for the Northern Territory Government.

We have been doing significant work around efficiencies, looking at travel, Telehealth and those types of things. We aim to deliver those savings and we have already delivered significant savings this year with the Department of Health budget and made sure that we have maintained services to Territorians.

Mrs FINOCCHIARO: What programs or services will cease or be modified in order to achieve the saving?

Ms FYLES: It is not about ceasing or cutting services; it is about being efficient. It is about when you are delivering something, doing that in the most efficient model.

We have already done significant work in the health space. I spoke before about patient travel; making sure that clinicians—the view they have is taken into account—and whether we can use Telehealth and have more coordinated visits. It is things like that.

Mrs FINOCCHIARO: Will there be any staffing reductions in order to achieve the efficiency?

Ms FYLES: No, not specifically.

Mrs FINOCCHIARO: Will you be trying to use attrition to achieve some of those savings?

Ms FYLES: There may be some positions that through natural attrition—for example, in the health space, at times we heavily rely on agency staff. We are trying to set up better systems within our health services where we can avoid costly additional agency spending and have perhaps a casual pool, utilise our resources more efficiently.

Mrs FINOCCHIARO: Just using that example as a way to achieve some budget savings, what does the Department of Health think it will save by transitioning from an agency-based model to a relief pool model?

Ms FYLES: We are just getting some specific figures for you, but incentives already under way at Royal Darwin Hospital and Palmerston Regional Hospital include medical officer rostering reform designed to reduce overtime and fatigue to lower the cost of medical labour; planned improvements in nursing and midwifery resource management, governance, capability and capacity; and we are planning on ceasing the high-cost labour hire patient care assistance.

As I said, there will be less of a reliance on that casual workforce that comes at a cost, and building the systems into our workforce, knowing our demand.

Mrs FINOCCHIARO: I thought you were getting me an answer.

Ms FYLES: I just provided that.

Mrs FINOCCHIARO: There was no dollar figure associated with that.

You mentioned that the patient care assistance cost is very high, and that is something you want to change. For example, how much would you realise in savings by ...

Ms FYLES: We do not have those specific costs, but (inaudible).

Mrs FINOCCHIARO: The government's plan to achieve its \$8.4m in budget savings is just to, essentially, try to do things more efficiently—there is no plan, much like with AGD this morning?

Ms FYLES: This year the Department of Health has delivered around \$60m in one-off and ongoing savings to the budget, so we have managed to bring the Health budget back to a manageable position. That is a credit to the leadership in the Department of Health and our health services. We will continue to do that with contemporary practices, making sure the delivery of care to Territorians is a focus.

You have to remember that Health is a huge agency. When we look at specifics we can make those changes with minimal impact to the care of Territorians.

Mrs FINOCCHIARO: I am asking for those specifics. We have a fiscal crisis, a budget in desperate need of repair. Your agency has a figure of \$8.4m ...

Ms FYLES: This year we have delivered around \$60m in one-off and ongoing savings ...

Mrs FINOCCHIARO: Obviously someone, either budget Cabinet or the Treasurer—whoever it might be—has said you need to find another \$8.4m in savings over the next financial year.

Ms FYLES: I have explained that we are comfortable to do that considering the work we have done. I have given you examples of what we do to achieve that without impacting on the care of Territorians.

Mrs FINOCCHIARO: But you are unable to put a dollar figure of planned savings against—I am waiting on the patient care assistance cost.

Ms FYLES: We can provide that detail.

Mrs FINOCCHIARO: You say you can provide that detail, but—can you provide it? What is Health's plan to achieve \$8.4m in savings? If it is reducing the relief pool, how much will you save from that?

Ms FYLES: I am happy to give that breakdown to you; I just do not have it in front of me.

Madam CHAIR: Would you like to put it on notice?

Mrs FINOCCHIARO: Sure.

Question on Notice No 4.28

Madam CHAIR: Member for Spillett, please restate your question for the record.

Mrs FINOCCHIARO: Can you please break down how the department intends to achieve \$8.4m in savings, broken down into specific areas where the agency believes savings can be achieved, and a targeted saving next to each of those measures in dollar figures.

Madam CHAIR: Minister, do you accept the question?

Ms FYLES: Yes, and I point to the work that has already been done in regard to the Health budget.

Madam CHAIR: The question from the Member for Spillett is allocated the number 4.28.

Madam CHAIR: Are there any other questions?

Mrs FINOCCHIARO: Can I confirm, the Health budget in the next financial year has gone up \$79.9m—but in the last financial year Health made a saving of \$60m.

Ms FYLES: With the Health budget we have to deliver services, and we have to be efficient we do that. We were on track to have an overspend. We have managed to work efficiently over the last nine months to reduce that to be within our budget. We still have a few weeks to go to the end of the financial year and there are still some NDIS payments, we are not sure where that exactly will land.

We are very confident of the work we have done and we have certainly turned around that budget situation for the Department of Health. It is very complex, it is not a straightforward budget. You have activity-based funding and there are elements from the federal government, so it is a complex way to explain it.

Mrs LAMBLEY: Just talking about savings, I have been advised that you are planning to cut library health services altogether, that you are looking at closing the palliative care unit in Alice Springs, and that you are also looking at closing the alcohol withdrawal centre out at the corrections precinct. Is there any legitimacy or truth to those stories?

Ms FYLES: In terms of the library services, we are looking at an alternative model to deliver those services. The other two comments I think you made were on Corrections ...

Mrs LAMBLEY: Palliative care and the withdrawal unit in the corrections precinct.

Ms FYLES: We just proudly built and opened the palliative care unit, and I note you were there for the opening. I am pretty sure we are not going to close something we just opened.

Mrs LAMBLEY: It is what I am hearing, minister. Usually where there is smoke, there is fire.

Ms FYLES: There was a lot of smoke at the smoking ceremony, Member for Araluen, we can all remember. But I can assure you we are not about to close the palliative care unit, so you should be careful with the rumours you listen to.

Mrs LAMBLEY: That is good.

Madam CHAIR: Are there any further questions on the opening statement?

Mrs LAMBLEY: Can I just clarification—did you say you were closing the alcohol withdrawal unit out at the corrections precinct? You are not reducing or cutting that at all?

Ms FYLES: No. You really need to listen to better rumours.

Agency-Related Whole-of-Government Questions on Budget and Fiscal Strategy

Madam CHAIR: The committee will now proceed to consider the estimates of proposed expenditure contained in the Appropriation Bill 2019–20 as they relate to the Department of Health.

Are there any agency-related, whole-of-government questions on budget and fiscal strategy?

That concludes consideration of agency-related whole-of-government questions on budget and fiscal strategy.

OUTPUT GROUP 8.0 – COMMUNITY SERVICES

Output 8.1 – Community Services

Madam CHAIR: The committee will now proceed to Output Group 8.0, Community Services, Output 8.1, Community Services. Are there any questions?

Mrs FINOCCHIARO: I wanted to ask about the termination of pregnancy law reform legislation. How many people have availed themselves of that legislation since March last year?

Ms FYLES: Thank you, Deputy Leader of the Opposition. We delivered an important election commitment, but I also believe an important healthcare reform, particularly for Territory women, when we commenced on 1 July 2017 the legislation allowing medical terminations of pregnancy. That legislation removed the requirement for a termination of pregnancy to be performed in a hospital. Suitably qualified doctors can provide termination services for pregnancies under 14 weeks and ensures that doctors and other health staff who conscientiously object refer women to a doctor who can provide those services.

We remember from their debate there were safe-access changes ...

Mr WOOD: Cannot keep their conscience ...

Madam CHAIR: Please do not interrupt.

Ms FYLES: We have 49 suitably qualified medical practitioners across the Territory. Reporting since 1 July shows terminations are being performed in accordance with the legislation and regulations. There were 744 performed in the Territory in 2017–18 and of that 73% were early medical terminations, which by definition is under nine weeks. From 1 July 2018 to 31 March 2019, 517 terminations were performed, and we estimate that will be around 690 this year, so a similar figure to that 744 the year before.

Our rates of terminations are comparable to other jurisdictions. The Northern Territory rate is 13.1 per 100 000 women, for example, the WA rate is 15 and the South Australian rate in 2014 was 13.8. The Western Australian rate was from 2015.

Those terminations are available from Family Planning in Darwin and Palmerston, and the Royal Darwin Hospital, Katherine District Hospital, Gove District Hospital, Alice Springs Hospital, some of the Aboriginal medical services and some general practitioner providers in Darwin and Palmerston.

We completed the review of the clinical guidelines in conjunction with the Chief Health Officer who approved some changes. We made a commitment on reviewing the act to 12 to 24 months post-commencement and a working group has formed to do that. You can see from those numbers that it has not been an increase, it has been a shift to the medical termination rather than the surgical.

Mr WOOD: What were the numbers before RU486 was introduced and could you tell us what abortions occurred outside of that early abortion period? You gave a percentage figure, could you give us a breakdown?

Ms FYLES: I only have the 2017–18 and 2018 through to 31 March figures, but I am advised that it is between 600 and 700 for many years.

Mr WOOD: What was the breakdown of abortions outside of that percentage you gave for early abortions? What was the breakdown of when those abortions occurred?

Ms FYLES: I will give you the figures for 2017–18, that is a full financial year, the number of early medical terminations was 72% close to 73%. The number of surgical terminations was 27%.

Mr WOOD: That is early abortions, were there late abortions?

Ms FYLES: I will give you the raw figures, 543 were early medical, 196 were surgical terminations and, as you pointed out, they were before 14 weeks. The number of terminations over 14 weeks but not more than 23 weeks was only five.

Mr WOOD: I would not use the word 'only'. That is all. Thank you.

Mrs FINOCCHIARO: Have there been any reported problems or complications and how many?

Ms FYLES: That is quite specific clinical information and we do not have that before us. I have a number of clinicians who could speak—but the advice I have, and having met with the stakeholders that deliver the services, that it has been a very smooth transition. It has been a shift from the surgical to the medical rather than—there has not been an increase and there has not been significant complications. I would be happy to provide you with further information offline.

Mrs FINOCCHIARO: I am trying to cast my mind back to legislation, but that data is capturable—I know it is confidential. Is it the Chief Health Officer who holds that information? If a woman presented, even if it is to a clinic, that information is captured?

Ms FYLES: It would be the health services which undertake those reviews clinically, it would be a matter of me asking them for that information post-review. As you can imagine they would be quite small numbers who have had complications. We would need to be careful that we do not, in disclosing what we think is broad clinical information, disclose peoples' privacies. It is not through not wanting to share the information.

Mrs FINOCCHIARO: Would that information come out as part of the review? Obviously health and wellbeing was a major part of the legislation.

Ms FYLES: We would certainly take that into consideration around this significant change in legislation. Has it rolled out as we envisaged? I would say yes—but also what further changes could be recommended.

Madam CHAIR: That concludes consideration of Output Group 8.0.

OUTPUT GROUP 9.0 – DISEASE PREVENTION AND HEALTH PROTECTION

Output 9.1 – Environmental Health

Madam CHAIR: We will now move on to Output Group 9.0, Disease Prevention and Health Protection, Output 9.1, Environmental Health. Are there any questions?

Mrs FINOCCHIARO: Are there any plans for the Territory to follow South Australia's lead on a meningococcal B immunisation program?

Ms FYLES: We have a comprehensive vaccination program, the National Immunisation Program. Based on our clinical evidence—I will ask the Chief Health Officer Hugh Heggie if he could come to the table to provide you with further explanation.

In terms of meningococcal, our outbreak was in W, which was why we stepped out of line with the National Immunisation Program, but it has since caught up.

I will hand over to Hugh for further information, because you can be assured that all of these decisions are based on the clinical guidance of clinicians. I robustly asked those questions regularly.

Dr HEGGIE: To be clear, there is a national program for immunisation/vaccination. You asked if we were going to follow South Australia in regard to the meningitis B vaccination. I believe that is actually a trial, it has not been undertaken by the government there and it is to look at the efficacy of that particular vaccine. It is a new formulation—in regard to other effects or benefits of that.

That is a trial being undertaken, which will run for a number of years. We will watch that trial with interest.

Ms FYLES: We base the decisions on the clinical advice. I have been working with the federal government on the National Immunisation Program. We have met with the vaccination companies—that is a system that grows and provides more options. We regularly look at that in terms of the decisions we make as a government.

Mrs FINOCCHIARO: Can I get an update on the recent outbreak of conjunctivitis in Wadeye?

Dr HEGGIE: Conjunctivitis is a common condition in communities. It is very contagious. It occurs around the Territory and in other jurisdictions and transmitted particularly amongst children. It may be an outbreak; it is easily managed with the appropriate treatment—drops and ointment, and hand and face hygiene.

I believe there was nothing particularly about that outbreak. I believe the health centre may have run out of some of the treatment temporarily, but that is just a supply issue.

Ms FYLES: My understanding is that it was a 48-hour delay in having enough of that product on hand. As soon as we became aware that there was a need for a considerable amount, it was quickly placed into the community and we kept the local community informed.

Madam CHAIR: If there are no further questions then that concludes consideration of Output 9.1.

Output 9.2 – Disease Control

Madam CHAIR: I will now call for questions on Output 9.2, Disease Control.

Mr WOOD: Minister, what is the department doing in relation to the high rates of infections syphilis, especially as over 80% of cases are Indigenous?

According to your figures, the NT rate has also been increasing to eight times the national annual notification rate at its peak. It seems fairly serious.

Dr HEGGIE: It is true that we have high rates per population and much of that burden of disease is in Aboriginal people. The numbers are very small. It has been an outbreak defined because of both regions being affected since 2013. It has peaked just recently at just over 1000, which actually amounts to around four to five new cases per month. Those cases, when tested and treated, are treated effectively.

We are working with other partners—the primary healthcare teams for the community-controlled sector particularly, and the Northern Territory Government primary healthcare teams in regard to testing and treating those persons. We have a service that is able to advise on future test results as to whether any further treatment is required.

It is true that we are concerned that the outbreak, as it does in parts of other jurisdictions as well. There is a response, including in the Commonwealth, to provide extra resources and partner with other jurisdictions in regard to follow-up and treatment of those persons—community education as well. I like to think we get control of that.

Ms FYLES: By way of further explanation, we have spoken with the federal government on this issue Australia wide. The federal government has committed a significant increase from \$8.8m to \$21.2m in funding. That does not necessarily all come to us, in fact it often goes to the Aboriginal medical services in the Territory. Not all that funding is for the Territory; that is an Australia-wide figure.

We also recently developed our strategy on this. It is a topic people are uncomfortable to talk about, but it has significant health implications and we are tackling it head on.

Madam CHAIR: Are there any further questions on Output 9.2?

That concludes consideration of Output 9.2 and Output Group 9.0.

OUTPUT GROUP 10.0 – COMMUNITY TREATMENT AND EXTENDED CARE
Output 10.1 – Alcohol and Other Drugs

Madam CHAIR: The committee will now consider Output Group 10.0, Community Treatment and Extended Care, Output 10.1, Alcohol and Other Drugs. Are there any questions?

Mrs FINOCCHIARO: How much did the review of the Northern Territory's sobering-up shelters cost?

Ms FYLES: It was \$54 000.

Mrs FINOCCHIARO: How much does the Berrimah sobering-up shelter cost each year?

Madam CHAIR: Minister, can you please state who has joined you at the table.

Ms FYLES: Cecelia Gore has joined us.

The Stringybark facility operated by Mission Australia has three different areas to it. The question asked about the sobering-up shelter—it is 40 beds at \$1.3m per year.

Mrs FINOCCHIARO: Can you go through each of the three elements?

Ms FYLES: Yes. It is sobering-up, detox and rehabilitation.

Mrs FINOCCHIARO: So, \$1.3m for sobering-up?

Ms FYLES: The rehabilitation beds are \$2.5m per year, and we are just getting the detox figures.

Ms FYLES: I will hand to Cecelia in a second. The sobering-up and rehab beds are Mission Australia; the detox is Top End Health Service, and it comes under their alcohol and other drugs. I am not sure if Cecilia has anything more to add to that.

Ms GORE: The allocation for AOD services in Top End Health Service does not break down by facility, because there needs to be flexible movement of clinicians, et cetera. We would not be able to get that today as a budget figure.

Mrs FINOCCHIARO: We could take that on notice.

Ms FYLES: The detox—the clinicians work across areas, they do not necessarily—there are beds there. But we can take that on notice and get you the information.

Mrs FINOCCHIARO: You must know how much time they spend there, if it is one day a week ...

Question on Notice No 4.29

Madam CHAIR: Could you restate the question please, Member for Spillett.

Mrs FINOCCHIARO: Please provide financial data on how much detox services at the Berrimah Stringybark facility cost the Department of Health?

Madam CHAIR: Minister, are you happy to take that question on notice.

Ms FYLES: Yes.

Madam CHAIR: The question that has been asked by the Member for Spillett of the minister has been allocated the number 4.29.

Madam CHAIR: Are there further questions on Output 10.1?

Mr WOOD: It leads on from a question I was asking before on people on the BDR—last year 2950 were assessed under alcohol and other drugs, 2164 people commenced treatment under NGOs, and only 852 completed that. This year you are copying last year's estimate of 3662 to be assessed, 2832 to get treatment, and 1222 people will complete those episodes.

If you were looking—that is still a lot of people; it is one-third of people who get assessed go through for the whole treatment, but have you any idea then of the 1222 people who would be taken off the BDR, how many go back for a repeat assessment and how many would relapse altogether?

Ms FYLES: They different figures from different points in time. What we do know is that there has been a 37% increase in people receiving assessments for problem alcohol use compared to the period before the introduction of the Banned Drinker Register. It is often complex because people need multiple episodes of treatment to rehabilitate, so it is about streamlining those pathways.

We have also seen an increase since November when we made the sobering-up shelter 24-hours a day, we believe that has opened up the pathway to rehabilitation because we have seen an increase of over 300 to around 800 people per month accessing sobering-up. It is difficult to compare apples with apples.

Mr WOOD: I suppose if you have 1222 receiving treatment, I imagine you could ask whether they are on the BDR. In other words, I am looking to see whether people who are on the BDR have actually made the effort to get treatment. The hard question is was it successful? That is why I need—the statistics by themselves do not mean much. Is there any way you can say of those 1222 people, X number of people were BDR people?

Ms FYLES: For people who sought help, and it is important to note that they voluntarily self-identified that they were on the BDR, 502 assessments were completed for alcohol for misuse, and 459 treatment episodes commenced.

Mrs FINOCCHIARO: How many were completed?

Mr WOOD: I missed that. How many were completed out of the 502?

Ms FYLES: There were 502 assessments were completed for alcohol misuse.

Mr WOOD: That is assessments, and is that completed right through?

Ms FYLES: There were 459 treatment episodes commenced.

Mr WOOD: How many completed that?

Ms FYLES: We would need to pull that data.

Mr WOOD: As I said before, without some detail to the statistics, one cannot prove that ...

Ms FYLES: That is just people on the BDR, the figure is much higher in terms of people who have assessments completed and then treatment episodes commenced.

Mr WOOD: In relation to how many people out of the 449 who started the treatment, how many completed the treatment?

Ms FYLES: It is complex, and this is the point of difference between alcohol mandatory treatment and voluntary rehab. People can go in and out of that treatment and we know, I think this is community-based figures, it is 10 to 12 times for someone to successfully rehabilitate.

Mr WOOD: Taking this statistic, the number of episodes of treatment completed, you are saying there might be multiple people in that figure as well—the same person, they have gone back for treatment three times? If that is the case, we should be able to get an idea of the 459, how many completed treatment. If they walked out they did not complete the treatment, but if they completed it we should have some record saying the percentage of the 459 completed. That is the question?

Question on Notice No 4.30

Madam CHAIR: Member for Nelson, please restate the question for the record.

Mr WOOD: Minister, could you say, out of the people who were receiving treatment for alcohol and drug dependency, over 500 were from people who were on the BDR and 459 of those people started treatment. Could you tell us how many of those completed their treatment?

Madam CHAIR: Minister, do you accept the question?

Ms FYLES: Yes.

Madam CHAIR: Thank you. The question asked by the Member for Nelson of the minister has been allocated the number 4.30.

Mrs FINOCCHIARO: When will the floor price review be conducted?

Ms FYLES: We have an interim 12 month assessment which will be in December.

Mrs FINOCCHIARO: That will be made public?

Ms FYLES: Yes. Then we have a three-year review as per Riley's recommendations.

Mrs FINOCCHIARO: That will be made public? Nodding heads yes, for the benefit of Hansard.

Madam CHAIR: Are there any further questions?

That concludes consideration of Output 10.1, Alcohol and Other Drugs.

Output 10.2 – Disability Services

Madam CHAIR: The committee will now consider Output 10.2, Disability Services. Are there any questions?

Mrs FINOCCHIARO: In reference to the answer to written question 552, why does the NTG not have any programs or services for employment of people with a disability?

Ms FYLES: That would be a question for OCPE. We provide the support services and health services.

Madam CHAIR: Are there any further questions?

That concludes consideration of Output 10.2, Disability Services.

Output 10.3 – Mental Health

Madam CHAIR: The committee will now consider Output 10.3, Mental Health. Are there any questions?

Mrs FINOCCHIARO: The budget for mental health has marginally increased, how will you pay for the implementation of your Mental Health Strategic Plan 2019–25?

Ms FYLES: I will get the department to answer that. It is about realigning access to Commonwealth funding. We acknowledge this is a growing and important area.

Dr JAMIESON: We will, in the service delivery agreement with the health services, realign some of the funding through the activity-based funding mechanism to support the priority in mental health as far as possible.

OUTPUT GROUP 11.0 – NATIONAL CRITICAL CARE AND TRAUMA RESPONSE **Output 11.1 – National Critical Care and Trauma Response**

Madam CHAIR: The committee will now consider Output Group 11.0, National Critical Care and Trauma Response, Output 11.1, National Critical Care and Trauma Response. Are there any questions?

Mr WOOD: Minister, who is responsible for the implementation of the Prevent Alcohol and Risk-related Trauma in Youth program to secondary school-aged students? Could you say what schools are in this program being implemented and what is the cost of the program?

Ms FYLES: I will ask Dianne Stephens from the National Critical Care and Trauma Response Centre to come to the table. The PARTY program is what you are referring to, and Di can provide a further explanation.

Associate Professor STEPHENS: The PARTY program is a fantastic initiative that teaches our young people about the dangers of risky behaviour and prevents road trauma in the long term. This program was started as pilot program funded through the NCCTRC as a pilot, now it is being taken across the Northern Territory. We have a program running at Royal Darwin Hospital which has been very successful. We are now looking at rolling out the program in Katherine and Alice Springs, and probably further afield as those programs take root.

Mr WOOD: Has it gone out to any schools yet?

Associate Professor STEPHENS: The schools actually come into the hospital. It is a full day program within the hospital. It requires a lot of coordination, as you can imagine. Those people from different areas in the clinical space that are involved in the initial resuscitation, treatment and rehabilitation of trauma patients are involved in that educational program. The students actually spend the day at the hospital. They are taken into some of the clinical spaces and some of the big impacts of the program is getting them to realise how that kind of risky behaviour ends up with long-term disability.

Mr WOOD: I know I am old, but do you actually give them the option of abstaining from alcohol, which I think some young people are taking up these days—not drinking at all?

Associate Professor STEPHENS: We talk about the effects of alcohol on your capabilities and certainly from a clinician perspective—the individual clinicians involved in that program would encourage the students not to drink at all. That is part of the program.

Mr WOOD: Interesting, thanks.

Ms FYLES: If anyone wanted further information, I am sure they would be willing to give you an overview or even possible participation to see what it looks like. It is an important program.

Associate Professor STEPHENS: It has been quite successful interstate as well, so we are not the only jurisdiction running this program.

Mr WOOD: When I survive estimates I might get in touch with you.

Madam CHAIR: Any further questions on Output 11.1? That concludes consideration of Output Group 11.0.

OUTPUT GROUP 12.0 – HEALTH SERVICES

Output 12.1 – Top End and Central Australia Health Services

Madam CHAIR: The committee will now proceed to Output Group 12.0, Health Services and Output 12.1, Top End and Central Australia Health Services. Are there any questions?

There being no questions that concludes consideration of Output Group 12.0.

OUTPUT GROUP 13.0 – CORPORATE AND GOVERNANCE

Output 13.1 – Corporate and Governance

Madam CHAIR: The committee will now proceed to Output Group 13.0, Corporate and Governance, Output 13.1, Corporate and Governance. Are there any questions?

There being no questions that concludes consideration of Output 13.1.

Output 13.2 – Shared Services Received

Madam CHAIR: The committee will now proceed to Output 13.2, Shared Services Received. Are there any questions?

There being no questions that concludes consideration of Output 13.2.

Output 13.3 – Shared Services Provided

Madam CHAIR: The committee will now proceed to Output 13.3, Shared Services Provided. Are there any questions?

Madam CHAIR: There being none that concludes consideration of Output 13.3 and Output Group 13.0.

Are there any non-output specific budget-related questions? There being none that concludes consideration of outputs relating to the Department of Health. On behalf of the committee I would like to thank department officers, those at sitting at the table, but also those behind who have assisted the minister today.

We will now move on to consider Top End Health Services.

Mrs FINOCCHIARO: I would like to place our thanks on the record to the departmental staff who have supported the minister.

TOP END HEALTH SERVICE

Madam CHAIR: I invite you, minister, to introduce your officials accompanying you and if you wish to make an opening statement regarding the Top End hospitals.

Ms FYLES: Thank you, Madam Chair. The officials have stayed and Michelle Mackay from Top End Health Service has joined us as the Chief Operating Officer who joined the Top End Health Service in January of this year, based at Royal Darwin Hospital but looking after Top End Health Services as Chief Operating Officer.

Madam CHAIR: Do you have an opening statement, minister?

Ms FYLES: I am happy in the interest of time to go straight to questions.

Madam CHAIR: There not being a statement we cannot ask any questions on the statement.

Mrs FINOCCHIARO: If it helps, given that we have 13 minutes left of the minister's time ...

Madam CHAIR: I am happy to be guided by the panel.

Mrs FINOCCHIARO: I am keen to ask some questions of the next portfolio.

Madam CHAIR: Does anybody have any questions on Top End hospitals?

There being no questions that concludes consideration of Top End hospitals. I would like to thank those officers providing advice to the minister today. I know there are some preparations that have gone in to it.

CENTRAL AUSTRALIAN HEALTH SERVICE

Madam CHAIR: The committee will now consider Central Australian hospitals.

Ms FYLES: I will keep Michelle here and Sue Korner from Central Australian Health Service will join us and we are happy to take questions in a muddled order.

Madam CHAIR: I am presuming, minister, that we will not go to an opening statement. You have introduced the officers for that and you are happy to take questions.

Are there any questions on Central Australian hospitals or for that matter—Member for Nelson, do you have a question of Top End hospitals?

Mr WOOD: I have to ask this one because I have been asked a number of times by people. Part of this concerns me.

With a growing older population, are there sufficient aged care beds without the need to use hospital beds and if not what is the government doing to fill this void?

With the growing number of dementia patients in the NT, what is the government doing to make sure there are adequate facilities for dementia patients where full time care is required? What facilities are available now and what efforts are being made to train staff to look after people with dementia?

I know that is a broad question. I can put it on notice if you wish?

Ms FYLES: Thank you for your question, Member for Nelson. I would never have called you old or aged. Previously many Territorians only came to the Territory for a brief period of time or they would retire elsewhere and it is wonderful to see people staying on—that is represented through the number of activities. We have just had the COTA Seniors Expo.

The provision and funding of aged care services is a responsibility, as you would well know, of the Australian Government and we are very much committed to working with the Australian Government to increase the services available to senior Territorians.

It has an impact on us, particularly in aged care services if people are in hospital beds where they can no longer receive the care they need in their own homes and not having access to an aged-care bed. There is unfortunately a wait-list for residential aged care, even home care is not uncommon.

There has been significant change to the aged care system, including the way home aged-care packages are allocated. We try to support people to live in their homes for as long as possible. Previously, packages were allocated to each jurisdiction now they are allocated to a national pool. We have seen the data available in the Report on Government Services.

We are working with the federal government to ensure that people that people have access to those packages—specifically, Top End Health Service is working collaboratively with the aged-care sector to facilitate timely access to residential aged care, particularly for those long-stay patients.

Royal Darwin Hospital has a long-stay committee which has been established and tasked to review blocks to discharge long-stay patients and also to prevent hospital admissions and provide support in the aged-care sector.

In the Territory there was some figures available recently. I am not sure if you want me to go in to that or get the health service to talk more specifically more about what they do?

Mr WOOD: In the interests of time I would be happy if you would allow me to give that question and perhaps get a fulsome answer, because I included staffing for dementia services.

Ms FYLES: Yes. For example, in the NT recently there were 149 new residential aged-care beds made available for a tender; however, we only saw 50 of those beds allocated to the Territory. Still, that is a step forward—26 of those were at Terrace Gardens and 24 at Pearl Supported Care.

It is an area we need to work on. There are also short-term care places that were successfully tendered for, not only in Darwin but also in East Arnhem and Alice Springs.

Mr WOOD: Could I put the question on notice please, minister?

Ms FYLES: What was your specific question?

Question on Notice No 4.31

Madam CHAIR: Yes, would you state the question for the record first, Member for Nelson?

Mr WOOD: I might just do the second part of the question, because you have given me a fair bit. With growing number of dementia patients in the NT, what is the government doing to make sure there are adequate facilities for dementia patients where full time care is required? What facilities are available now and what efforts are being made to train staff to look after people with dementia?

Madam CHAIR: Minister, do you accept the question?

Ms FYLES: Yes, of course.

Madam CHAIR: The question asked by the Member for Nelson of the Minister for Health has been allocated the number 4.31.

Madam CHAIR: Are there any further questions on this output? There being no further questions I thank the officers who have provided the minister advice today.

OUTPUT GROUP 16.0 – HEALTH AND COMMUNITY SERVICES COMPLAINTS COMMISSION

Madam CHAIR: The committee will now consider Health and Community Services Complaints Commission. I note that Output Group 16.0, Health and Community Services Complaints Commission sits with the Department of the Attorney-General and Justice, but questions will be answered by the Minister for Health today.

Minister, do you wish to introduce any officials accompanying you?

Ms FYLES: Madam Chair, was Central Australian Health Service included?

Madam CHAIR: We bundled them into that. Central Australian Hospitals was the output.

Mrs FINOCCHIARO: Madam Chair, if it helps I do not have any further questions for Health. Thank you very much for your time today and we will put through our questions in writing.

ARAFURA GAMES

Madam CHAIR: I note that responsibility for the Arafura Games sits with the Department of Tourism, Sport and Culture; however, questions for the Minister for the Arafura Games will be answered now.

I welcome you as Minister for the Arafura Games and invite you introduce any officials accompanying you and, if you wish, to make an opening statement regarding the Arafura Games.

Ms FYLES: Madam Chair, thank you. Joining me today is Tim Watsford, the General Manager of the Northern Territory Major Events Company. As the Minister for Arafura Games, I will take questions both about the Arafura Games sporting program and also the business engagement program.

It is an honour to be the Minister for the Arafura Games. I acknowledge the work of the assistant minister and the work of Minister Moss and Minister Vowles as previous ministers.

The Arafura Games returned for the first time in eight years here in Darwin, from 26 April to 4 May, with 762 athletes from over 40 nations. I thank everybody who has been involved in the games: the athletes; staff; officials; volunteers; sponsors; and our community, who embraced the Arafura Games.

In the two months since the conclusion of the games, the team has been working diligently to review the games. We have completed significant debriefs with sports and participants, and to finalise the costings. The budget of \$7.93m was allocated. At this stage those final costings have not come in yet; we are still paying invoices, but we will provide that to the public. My understanding is that it will not go over that budget allocation. It is important to note we did commit to the games in 2021 and I remind you that in November it is only 18 months until the next games.

We have been working with international sports clubs and the Asia' specific community around how we can strengthen the Arafura Games and provide a real opportunity for not only sport in a multisport event, but also for the Top End community. I will keep my comments to that and I am happy to take any questions.

Madam CHAIR: Any questions for the minister on the opening statement?

Mrs FINOCCHIARO: Two months later, minister, you are not aware of the cost of the Arafura Games to Territorians?

Ms FYLES: As I outlined in my opening statement, we provided a budget of \$7.9m to the games which is similar to previous budgets; it will not go over that. We are finalising our invoices and then we will be able to provide that specific figure.

Mrs FINOCCHIARO: Will that end figure of the cost of the games include all the interagency support, for example, provided by police?

Ms FYLES: That budget figure will provide any invoices that were paid by NT Major Events on behalf of Arafura Games. Although the opposition has not really gotten behind the games, we saw the community get behind it—NT Police is one example that was in-kind. It was fantastic to see them out at the events—I know from talking to them, they really enjoyed that opportunity to interact with the community.

Mrs FINOCCHIARO: Sorry minister, so you are including support from other agencies such as police as in-kind support?

Ms FYLES: What we saw for the Arafura Games was a coordination amongst government, and yes they were ...

Mrs FINOCCHIARO: That comes with an extraordinary cost. Will you be providing a breakdown of non-invoiced support of the games that also is a cost to Territorians?

Ms FYLES: It is a real shame that you cannot just get beyond scrapping the games ...

Mrs FINOCCHIARO: You know what is a shame, minister? You do not want to answer questions fully and openly regarding the cost to Territorians of the Arafura Games. No one is questioning the social impact, but what we need to know is the financial cost.

Ms FYLES: The negativity that we had from the games being scrapped to when we said we would bring it back—you just cannot bring yourself to get on board for what was a wonderful event.

Mrs FINOCCHIARO: Okay minister, can you bring yourself to tell us how far the cost-benefit analysis ...

Ms FYLES: If you could give me the time to answer the question.

Mrs FINOCCHIARO: You are not answering the question minister, you just said you were ...

Mrs FINOCCHIARO: I am absolutely answering the question, talking about a fantastic event for not only the Top End, but something that really put the Territory on the map into Asia-Pacific. For the first time, we saw the Business Engagement Program that ran alongside of the games, which provided ...

Mrs FINOCCHIARO: Okay, minister, this really does not answer my question.

Ms FYLES: Well, it might not be the answer you want to hear because you do not like to hear good news and success.

Mrs FINOCCHIARO: It is absolutely not an answer.

Madam CHAIR: Order!

Mrs FINOCCHIARO: When will the cost-benefit analysis be complete?

Ms FYLES: Madam Chair, I am happy to go on with responding—I know that the member does not want to hear the good news about the Arafura Games.

Mrs FINOCCHIARO: The member would like to hear answers to the question, and that revolves around ...

Madam CHAIR: State your question Member for Spillett. Can I please remind people of Standing Order 109, that there will be no arguments in a question.

Mrs FINOCCHIARO: When will the cost-benefit analysis be complete?

Ms FYLES: We will have that work by the end of this month.

Mrs FINOCCHIARO: Will it be made public?

Ms FYLES: Of course.

Mrs FINOCCHIARO: Did the Northern Territory Government pay for any delegates to the games—whether they are sportspeople or otherwise—to attend the games?

Ms FYLES: The NT Government did not pay.

Mrs FINOCCHIARO: So the NT Government did not pay for airfares, accommodation, meals, any ancillary costs like that for athletes or other dignitaries to come to the games?

Ms FYLES: No.

Mrs FINOCCHIARO: Okay, thank you.

Madam CHAIR: Member for Nelson, did you have any further questions on this output? We have a couple of minutes left.

Mr WOOD: I did have questions. The amount is not finalised, so it is a bit hard to ask questions about an amount that I do not know.

Mrs FINOCCHIARO: Yeah it is. Can the government at least, commit to providing the amount that it costs in terms of invoices and the amount of in-kind support provided from agencies, could you at least provide that split?

Ms FYLES: We set a budget for the games, we believe the games were an enormous benefit to the Top End and the Northern Territory. It was an enormous effort on a lot of people to bring back the games. We have said that there was a budget envelope of \$7.9m and it would not go beyond that. We will provide that cost-benefit analysis. I am not going to try to convince somebody who does not believe in the games, who will simply scrap the games if re-elected to government ...

Mrs FINOCCHIARO: Do not put words in my mouth, minister. You are here to answer questions.

Ms FYLES: Commit to the Games now.

Mrs FINOCCHIARO: I am not committing to something that we do not have a cost-benefit analysis for and no impact assessment for. You know that as well as we do. You jumped the gun by announcing the Games would happen again without any economic analysis ...

Madam CHAIR: There needs to be a question, Member for Spillett.

Mrs FINOCCHIARO: I do not have a question, I am just rebutting her assertion.

Madam CHAIR: Member for Blain, do you have any questions. We have two minutes left.

Mr MILLS: Minister, you are fond of saying 'evidence-based decision-making', and you said, 'We believe that it has a benefit to the Northern Territory'. What evidence can you demonstrate that it has benefit? Can you substantiate it? I was there; it is a good feeling and everything, but can you substantiate it so there is evidence behind the assertion?

Ms FYLES: I pushed back on the assertion from the Deputy Opposition Leader. It was difficult in that short time period to pull the Arafura Games together. Once the previous games were scrapped people were sceptical of the delivery of them. They wanted certainty and we needed to provide that.

Everybody in the community could sense the success of the Games, but the evidence was that hotels were full, cafes and restaurants were full ...

Mr MILLS: Yes, but ...

Ms FYLES: Let me finish because this is important to say.

Mr MILLS: ... we need evidence and details.

Ms FYLES: We had businesses that saw the flow-on effect to food suppliers. It saw flow-through. That is what we have committed to doing and we will provide it.

Mr WOOD: The government employed people from Legislative Assembly and other departments—was the cost of employing those people who were taken away from their normal jobs—will their wages be included in the cost of running the Arafura Games, or were they given time off in lieu? What was the mechanism to count their contribution to the cost of running the Games?

Ms FYLES: As with the delivery of previous Games, there were secondments. Some were in specific positions, others more generalised, but there were people seconded from government agencies.

Mr WOOD: How will that be costed in the total cost?

Ms FYLES: You will see that for the Masters Games in Central Australia. Nobody is saying we will scrap the Masters Games.

Mr WOOD: I am a great fan of the Masters Games.

Ms FYLES: I find it difficult to get people on board with the Arafura Games. That is okay; people have a clear choice ...

Mrs FINOCCHIARO: It would be less difficult if you provided them with the evidence to support it. On 6 March this year it was reported that there was a new gold sponsor who would 'foot the bill' for flights to Darwin for about 50 athletes. Can you now tell us who the new gold sponsor was?

Ms FYLES: It is commercial-in-confidence, which we stated at the time. But we can assure Territorians that taxpayer dollars were not used. I do not understand why there is such negativity. We have a fantastic event in Central Australia, and it would be great if people would get behind the Arafura Games.

Madam CHAIR: That is the last question on this output.

Mrs FINOCCHIARO: Just to clarify that question, Madam Chair.

Madam CHAIR: I will need to hear the question to understand if it is clarification or a new question.

Mrs FINOCCHIARO: I just do not understand how a gold sponsor can be commercial-in-confidence. The whole point of being a sponsor is to be promoted—purchase a gold package and it entitles you to this and what have you. How can you have an anonymous gold sponsor?

Ms FYLES: That is why it is run through NT MEC. Perhaps if they got past the negativity they could get a sense of understanding of how the games are delivered. NT Major Events as a company has that commercial-in-confidence. We know you guys would scrap it.

Madam CHAIR: That concludes consideration of outputs relating to the Arafura Games. The committee will now take a small break. Thank you, minister, for your attendance today and all officials who have assisted you.

The committee will move on to consider outputs relating to the Department of Local Government, Housing and Community Development.

The committee suspended

MINISTER MCCARTHY'S PORTFOLIOS

HOUSING AND COMMUNITY DEVELOPMENT

Madam CHAIR: I welcome you, Minister McCarthy, and invite you to introduce the officials accompanying you.

Mr McCARTHY: Thank you, Madam Chair. I would like to acknowledge the Larrakia people on the country where we meet and I acknowledge the traditional owners of the 73 remote communities we support as the

Department of Local Government, Housing and Community Development. I also acknowledge those Territory residents on homelands and the 43 town camps that the department also supports.

From the Department of Local Government, Housing and Community Development, we have:

- Jamie Chalker, Chief Executive Officer
- Jim Bamber, the Deputy Chief Executive Officer Housing Services, Local Government and Community Development
- Dwayne McInnes, Deputy Chief Executive Officer Remove Program Delivery Office and Community Services
- Keith Fernandez, Executive Director Corporate Services
- Ken Tinkham, Chief Financial Officer
- Maree De Lacey, Executive Director Local Government and Community Development
- Cheryl Wall, Executive Director Service Delivery North
- Glenn Griffiths, Executive Director Service Deliver South
- Christine Fitzgerald, Strategy, Policy and Performance
- Danyelle Jarvis, Executive Director Town Camps Futures Unit
- Jenny Henwood, Acting Executive Director Program Delivery
- Karen Elligett, Executive Director Governance and Government Relations
- Michelle Walker, Executive Director Community Services
- Kylee Carter, Acting Chief Procurement Officer
- Lee Williams, Senior Director Legislation and Policy
- Owen Dutton, Program Director Housing Programs and Support Services
- Lisa Wilson, Senior Director Office of Chief Executive
- Kelly Hamilton, Manager Secretariat Office of Chief Executive
- George Timson, Senior Director Room to Breathe Program
- Lindsay Smith, Senior Director Infrastructure
- Darren Johnson, Senior Director Land Tenure
- Danielle Cross, Senior Director Department Liaison.

Madam CHAIR: Thank you, minister.

Mr McCARTHY: Madam Chair, I also acknowledge all the members, the public officials from the Department of Local Government, Housing and Community Development who are watching this broadcast as a team effort today in presenting the incredible work this department does and is doing. I thank the committee for the opportunity to appear before you to provide our evidence.

Madam CHAIR: Thank you, minister. I invite you to make a brief opening statement in a moment. I will then call for questions relating to that statement. The committee will then consider any whole-of-government budget and fiscal strategy-related questions before moving on to output specific questions, and finally non-output specific questions relating to the budget.

I will invite the shadow ministers to ask their questions first, followed by the committee members. Finally other participating members may ask questions. The committee has agreed that other members may join in on a line of question pursued by a shadow minister rather than waiting until the end of the shadow minister's questioning of that output.

Minister, do you wish to make an opening statement regarding the Department of Local Government, Housing and Community Development?

Mr McCARTHY: That was my opening statement, thank you, Madam Chair.

Madam CHAIR: Are there any questions relating to that opening statement?

Mr HIGGINS: I do have a couple of quick questions, but first I would also like to acknowledge all the public servants who have helped you. Just by the number of people here we get an idea of the effort that this department puts in. I acknowledge that it is not one of the easy departments to administer for the provision of services expected.

When we talk about the efficiency dividend that is going to be placed on agencies this year, what is the amount in total that is affecting your agency this year—that 3%? What does that equate to in dollars?

Mr McCARTHY: Thank you Leader of the Opposition for the question. In terms of aggregating that figure here, I will ask the Chief Executive Officer and the Chief Financial Officer if we can provide that.

Mr CHALKER: Thank you Leader of the Opposition. The whole of government savings for the next financial year are \$5 760 000 for our agency. That grows the following year to \$11 467 000, to \$13 253 000 and \$15 022 000 in the outer years.

Mr HIGGINS: I presume that efficiency dividend—I know the answer for this, but I will just get it for the record—is not going to be applied to any many that we get from the federal government, et cetera—that figure is outside of that.

Mr CHALKER: That is correct. It is purely NT Government funds.

Mr HIGGINS: How do we think that is going to be achieved? The answer I am after there is that Treasury indicated it was up to the CEOs whether that was through staffing our programs, so it is not necessarily just going to be achieved with staffing. How are we planning on achieving that indicatively? At this point in time most CEOs have said that they have not finalised that yet. Can you give us some indication on how you might be doing that? Are there going to be any programs or services ceased et cetera?

Mr CHALKER: At this point in time we have not identified that any services will be ceased. The journey is still continuing. We are trying to look across the scope of the agency in respect of that, certainly as it relates to grants those efficiency dividends are quite clear, so we have started the engagement with the relevant sectors, which includes Local Government, to foreshadow that those dividends are on their way.

That sector equally, as we do, needs to look at how that can be ultimately achieved. The duality of our challenge is the significant input from the Commonwealth now that we have secured the national partnership agreement—identifying where that money will go and how we best deliver that service across the board.

There is no doubt we have already been on a significant pathway of reform. At previous estimates over the last number of years we have spoken about that. We are starting to get in a pretty good position as that lines up, but we have to foreshadow that now the Commonwealth commitment has been formally included that is going to be an impetus on our existing FTE. That is a conversation we need to have in the future about how we meet that service delivery expectation.

The truth of our remote housing program is that it stretches across all of our areas, none the least being our Aboriginal Interpreter Service and the use of Aboriginal interpreters in our engagement activities.

Mr HIGGINS: When the Commonwealth gives us funding like that, does it cover operational—they will want reporting, I presume. Do they include that in the funding or do we have to meet that ourselves? The reason I ask that question is obvious: if we are having to cut stuff and we cannot cut their thing, how are we going to cover the cost of that monitoring.

Mr CHALKER: Correct. Obviously the financial commitment from the Commonwealth is exclusively the financial commitment it is making under the terms in the national partnership agreement and what they are expecting, clearly as we reach the terms of agreement of the national partnership. They have given us a quantum of the number of three-bedroom equivalents that they expect during that time frame. We will be providing our reporting through the joint steering committee that now includes the four land councils as a part of that to determine where the money goes.

If we start meeting critical points along that journey as it relates to the Commonwealth money, where we might not be able to meet the expected targets, we will obviously be able to produce a document on what those critical issues are.

It is important to note that in the conversations we have had in the lead up to securing the national partnership agreement, there has been a softening in respect of the approach that no infrastructure, for example, was going to be included in the Commonwealth funding. Looking at the availability of land servicing, which has been a legacy item for the Northern Territory for quite a number of years, it is impractical for us to be able to deliver that many homes for that quantum of money from the Commonwealth without serviced land available to do so.

There is an acknowledgment that we have a significant amount of work to do. We are operating in an incredibly challenging environment, particularly through your own electorate. Through those conversations we will be able to identify where our tension points are, either within our internal structure—one of the better efficiencies we have been able to gain working on the reform we have had is an acknowledgment from the Commonwealth and the formalisation that they are joining our \$1.1bn remote housing program.

We are no longer delivering multiple or dual programs in our own back yard. We now have a singular focus which the Commonwealth money will help with the impetus of reducing overcrowding.

Mr HIGGINS: When you talk about serviced land—I will give everyone a warning, I am going to ask some questions about that later. All of those people who want to get those answers ready, they are coming later on—on how many we are at with those.

I will move on to staff. There is a lot of discussion around executive contract staff being cut back. What are we targeting in the agency itself in that regard? I know that is separate from the overall staffing and savings.

Mr CHALKER: We currently have 27 and are aiming to reduce to 25.

Mr HIGGINS: Presumably you will not be cutting any frontline staff out of the agency? I think that is a commitment made by government. That is true and correct?

Mr CHALKER: That is correct.

Mr HIGGINS: It I have no more questions on the opening statement.

Mr PAECH: Minister, is this where I would ask you a question, or is it more Output 1.2, in terms of outstations?

Mr McCARTHY: In terms of my opening statement, Member for Namatjira, we can talk about outstations or you can ask it in that output.

Mr PAECH: I might just do it now while I have the floor. Minister, the previous Chief Minister, Adam Giles, and housing minister, Bess Price, secured a deal with the Commonwealth which many would say sold out people on outstations. I understand that was a deal for \$155m over, I think, was it 10 or 15 years.

Mr BAMBER: Ten years.

Mr PAECH: When does that expire? Is a conversation being had now with the Commonwealth around what form of funding would be secured for outstations after that expiry?

Mr McCARTHY: In terms of the time frame, we will get the expiry date for you. You have outlined a situation that has significantly disadvantaged homeland residents in the Northern Territory. What the Labor government did when it came to power was make sure that it continued the support of homelands. We have continued that across the homelands program with Homelands Extra for the housing repairs and maintenance, homelands municipal and essential services grants, the jobs program and the infrastructure program.

We provide those funds to the service providers and those service providers administer the service delivery for us. As you would know, as an Indigenous Territorian, this conversation around homelands is generating a lot of interest. At the direction from me, the Department of Local Government, Housing and Community Development has conducted the process of a review into the homelands.

I am confident that review will come forward in the middle of this year, probably towards the end of this month hopefully. That will explore options about how we move forward. Of course, it is based on our policy platform of local decision-making. We are looking forward to getting the details of that review and having the further conversations.

Most importantly it relates to the Commonwealth Government. I am looking forward to meeting the new Minister for Aboriginal Affairs. I am very much looking forward to introducing the officials from the Department of Local Government, Housing and Community Development and going on an education and awareness journey with the new minister and the government regarding the Territory situation.

Our CE, Mr Jamie Chalker, has outlined already that important work around the national partnership agreement. That gives us some scope to try to re-introduce the conversation about homelands and the support for homelands residents. You will hear at this table a very cognisant understanding that we need to get homelands right to support what we are doing in the remote communities. You cannot do one without the other. We are looking at that policy of synergy because if we get remote communities right then there is a possibility that homelands residents could move and we could incur further overcrowding in terms of the gains we are making in the remote communities.

This is an interesting space. Thanks for the question and the opportunity to talk about it. I will advise the committee, and you, that it very much now hinges on the opportunities from the Commonwealth Government to honour and acknowledge homelands residents in the Northern Territory across those diverse landscapes where Aboriginal people live and practice ceremony.

Mr PAECH: If I may ask, in 2015 the federal budget was \$155m to the Northern Territory Government to manage those. Is there any funding that comes through now from the Commonwealth to support people on outstations?

Mr CHALKER: Not on an ongoing basis, but they have made provision through the ABA, the Aboriginal benefits process. The land councils have received some funding in recent times and we have been working in collaboration with them around how we may best be able to ensure that money goes out alongside funding we have.

Mr PAECH: But the ABA is not Commonwealth money. It is from a revenue of projects through royalties.

Mr CHALKER: Yes, but through the NT Government, there is no sustainable ongoing recurrent funding from the Commonwealth specifically for the homelands purpose.

Mr PAECH: Thank you. So, it would be safe to say that the Northern Territory Government is going it alone at the moment when it comes to outstations?

Mr CHALKER: Correct.

Mr WOOD: Madam Chair, may I ask a question on the outstations?

Madam CHAIR: Yes.

Mr WOOD: Minister, I used to have a map which showed me all the outstations in the Northern Territory. There were some outstations where people live and there were quite a few where people do not live anymore. Some go back to the ATSIC days. I have visited a number of communities and places in the Northern Territory where I have seen abandoned outstations.

Whilst you have an amount of money, how are you going to balance the issue of people either abandoning an outstation, or moving back to an outstation that might have been abandoned? I think one was Emu Springs, from memory, near Maningrida. I have been there. It was abandoned, I think there was a prisoner there. Now I think it has become more developed and people are going back there.

You have a set amount of money. Will there be some sort of policy in relation to people setting up new outstations, and how are you going to cope with that if it happens? If you get more outstations, of course, the bucket of money gets thinner. How is that going to happen?

Mr McCARTHY: Thank you, Member for Nelson, for the question. We have a clear set of guiding principles on service delivery and funding of homelands, based on the principal place of residence and seasonal occupation. I can give you the list.

That criteria is used to define the outstation and the service delivery model. It is set, and as I said, the Labor Government has continued its support. I am clear with outstations and homelands residents that we do not have money for new developments. We do not have money to re-establish homelands that have been abandoned. I come from the Barkly, where there are quite a number of homelands that have been abandoned for decades.

Aboriginal people need to be front and centre at the table with regard to this discussion. As I said, I am looking forward to the review, to be able to sit down and broker a new conversation, not only with the Northern Territory Government but also with the Commonwealth Government. If we are serious about closing the gap targets, reducing overcrowding and the continuation of what is shaping up, two years in to a 10-year program, as a very effective program engaging Aboriginal people in strong local decision making processes, jobs and engagement, then we need the Commonwealth at the table.

I have spoken in the past of concepts, and we have put that out for discussion about co-funding of outstations, for instance. There are other models we can look at together, but essentially, to answer your question, there are no funds for new homes on outstations. There is no current funding for re-energising outstations, or repopulating outstations. The funding is purely for the principal place of residence and the other criteria at this stage.

Mr WOOD: The Northern Land Council is basically in control of the land. From the point of view of people, say, moving to an area, and just say for instance they want to build their own house on an outstation, they would have to get a lease, is that correct, even though it is their own land?

What I am getting at is, if the Northern Land Council is the organisation that approves that lease, will it be paying the land council for a lease on their own land, and if so would that apply to all the outstations on Aboriginal land?

Mr McCARTHY: That takes us back to our debate in parliament, but I will see if we can get some comments from a land tenure expert on this one.

Mr CHALKER: Homelands are distinct, they sit outside the community-based housing leases. We also have a number of no-lease communities, as you would be aware, where the infrastructure does exist.

The homelands are a separate entity for all intents and purposes, for the NT Government. They are privately owned residences. We provide sustainability in respect to trying to ensure there is support for the safety and welfare of the residents and the quality of those properties.

Perhaps to assist with where I think you are heading to, we are currently consulting in relation to a review of our homelands policy. We have extended the closing date of that at the request of the land councils because they have been working through that response, trying to help inform the future direction of our homelands policy.

It is also important to also highlight that as an agency that is driving the remote housing program, we are not looking at the 73 remote communities in isolation of that. The heavy focus of what we are doing is on the social outcomes. When we speak about that we are talking about how we can increase the availability of qualified trades, for example, and the relevant services that are going to be closer to the homelands, because those skill sets will potentially, over this journey, now be based in community as opposed to being based in major centres along the Stuart Highway.

The closer proximity of those services and their easier accessibility in to those homelands should actually drive down the costs, which are quite significant, as you would be critically aware, if you are living in a homeland 700 kilometres away from one of our major centres and you need to replace your solar system or whatever the case may be.

Mr WOOD: I may not have put it the right way because it is even complex for me to think about it, but most outstations are on Aboriginal Land Trust land. The Aboriginal Land Trust is administered by the land council. If you have houses on an outstation the individuals who live in that house do not own that house; the land trust owns it.

For that person to get ownership over that place they require a lease over their own land. My little knowledge of that, because I have similar circumstances, is that the land council will charge people for that lease even though it is on their own land.

I do not know whether there was a hidden cost, to some extent, with outstations that if people wanted to have more ownership of the facilities there, there would be an underlying cost. It would not be covered by the money we were talking about. I do not know where it would come from.

Mr PAECH: You are talking about if you wanted a section 19 to secure tenure to build or borrow to build?

Mr WOOD: No. I know places that have ATSIC houses. You said, I would like to own that ATSIC house and now I have an area marked off, the land council would charge you a lease for that land, and what I find difficult to believe is that there would be a lease of land on your own land.

Mr McCARTHY: Member for Nelson, let me share some recent lessons from a community Cabinet when we were in southern region of southeast Arnhem Land. There are a cluster of outstations there that are negotiating with the Northern Land Council for the power delegation.

Should they achieve this their plan is then to be able to issue section 19 leases and attract private sector investment to attract Northern Territory Government investment and to attract Commonwealth Government investment—a very creative plan by very determined people. They are extremely well organised. They articulated it very well to the community Cabinet members, including the Chief Minister.

It is going to be one of these developments I talk about to watch very closely. That particular homeland already has philanthropic investment in two homes on that homeland, and those two homes are a commercial entity. They charge rent. There are residents who live in those homes and pay rent.

They are moving down that pathway and they are very confident with that as a whole new direction that will inform our government on homelands policy and provide some significant opportunities in the areas that you talk about.

Mr WOOD: I do not want to go down too far, but those commercial facilities are technically owned by the land trust. Is that right?

Mr McCARTHY: At this stage, yes.

Mr WOOD: It is a bigger issue, I know, but it is an issue we cannot debate at all here.

Madam CHAIR: No, we cannot. I am going to stop that there because you can actually get a briefing.

Mr HIGGINS: Can I ask another question that follows on from that? Not section 19 lease.

Madam CHAIR: Is it budget related?

Mr HIGGINS: Yes, it is budget related. You may not have the answer for this but I would be very interested to get it at some point. When I got the briefing on the Langoulant report, one of the issues that was raised was the amount of reductions that the Commonwealth has given us since self-government in certain areas.

When we got self-government there were certain agreements to support certain delivery of services in the Territory, so I presume they are going to be these communities and outstations. Have you been asked to provide some figures on the impact that since self-government and right through? I highlight one big example, and I will not say which political party because I do not want to bring politics into it—but in the late 1980s and the early 1990s we had a blanket cut of 25% to our allocation from the Commonwealth. How much of those reductions affected Housing over the time since self-government, because I know that the Langoulant report identified that? We should be going back to the Commonwealth and saying, 'Hey, you gave us self-government and you gave us a deal, you have chopped us'.

Mr CHALKER: That is not something that we have ever actually been asked to do, but it is something that as a team we have been turning our mind to in respect of how we ended up with the legacy items that we have.

The town camp report, for example, does touch on the legacy items of what the Territory inherited upon self-government, and of course the latent debt that has been identified to actually correct the town camp deficit very much pointed to that. The approach—planning for those town camps for example, the standard of accommodation and the like—was never built to the same standard that neighbouring suburbs, particularly in Alice Springs, held for the major towns and communities.

I think there is little doubt that if we look at the overcrowding figures that still prevail across the remote Northern Territory, and the fact that the Commonwealth's latest expert review identified that we had more than half the need than anywhere else in Australia and the jurisdiction—with the lowest capability and capacity to be able to do it, purely because our 240 000 population will not sustain those deficits.

We have been building a better case in respect of understanding that. We know that the costs are significant, hence the reason we have started to get some headway in our discussions with the Commonwealth. We have certainly tried to be quite up front, all the while in our national partnership, the last one, we were providing our milestone reports. All of those were being successfully signed off. They were getting a full lens on the challenges, the difficulties and the costs.

Just today we have had our second remote industry housing forum, I was up on stage in front of 260, as a mix of industry and the like, posing the question as to why does it cost in excess of \$500 000 for a three-bedroom home to be delivered in a remote community. If we continue to pay high sixes and higher, then that is another house over three or four that we could have built if we were able to derive those savings.

There is certainly enough information, but we have never had full visibility on what those various cut points have been for the Commonwealth. We certainly have a track history of the various Commonwealth-funded programs. To be fair they have funded a significant chunk of remote housing over the many years, but they have also used a myriad of programs and delivery, ranging from Alliance to SIHIP to NPARIH. I think notably the fact that they have now agreed to contribute into our sole program is a testament that we probably have the model in a better place than it has been previously, but I have to say the deficit is still very much there.

We anticipate that it is really about 4500-odd three-bedroom homes or equivalents that we would truly need across the remote Northern Territory to actually truly make a reduction in overcrowding.

Mr McCARTHY: Leader of the Opposition, if I could jump in on that and ask for your support in a bipartisan sense ...

Mr HIGGINS: You always have my support. I was going to ask you if you had spoken to the new minister. If you have not, I have his number and will be down there in a couple of weeks. He is a really nice fellow.

Mr McCARTHY: In terms of a bipartisan approach, we would really appreciate getting the minister here and to advise the minister, because what we are basically looking for, to cut a long story short, is flexibility. In a national partnership agreement to look at homelands, town camps and the efficiencies we are creating—your earlier questions on efficiencies were answered very succinctly.

I would like to add in terms of the 10-year program, Our Community, Our Future, Our Homes, we will deliver significant efficiencies in service delivery that will deliver a better product at a better price and provide more product for finite funds. Together, let us stick to that plan and talk to the new federal government and minister just to advise him and make him aware, to see if we can get that flexibility that will address some of the legacy issues that you talk about.

As the CEO outlined, we have very definitive empirical evidence on that. If you look at the town camp review, Living on the Edge—very clear empirical evidence on the deficit and what we need, particularly for infrastructure.

Mr HIGGINS: Whenever I go to Canberra I leave my party hat behind and take my Northern Territory hat. Rest assured, everyone, that is what I do all the time. I try to do as much as I can, irrespective of snide comments from the side.

With the figure I am looking for, is it possible to get what I am chasing? I will not put the question on notice until I get an answer on whether it is possible to look at that. What has been the impact of some of these

arbitrary cuts by the Commonwealth since self-government? We may not be able to get all of it definitively, but can we ...

Madam CHAIR: Are we still talking about town camps?

Mr HIGGINS: Outstations, and some of the impacts these cuts have had on them.

Mr CHALKER: There have been various reviews. If we are trying to cite a dollar amount where we think there is a deficit, the closest was the expert review, which identified what the need was when looking at overcrowding across the four key jurisdictions with significant remote Aboriginal housing.

That goes some way to identifying the challenges broken down, what the various costs of delivery per house was per program on average. That goes close to giving you some empirical evidence on the distinct disadvantage. What is very clear, specifically if you look at overcrowding, is that the Territory dominates that by a long way across every other jurisdiction. It is predominately related to our remote Aboriginal population.

Mr HIGGINS: If I put a question on notice can I get a copy of that expert review? Can I also get, from across all of housing, how many times since self-government has the Commonwealth cut funding to the Territory that has had a direct impact on the housing programs.

Madam CHAIR: Can we have those as two separate questions?

Mr CHALKER: In relation to the expert review, that document is publicly available. It is a Commonwealth document, not one that we own. We can facilitate access for you.

Question on Notice No 5.1

Madam CHAIR: Opposition Leader, please restate the first part of that question.

Mr HIGGINS: Can I get a copy or be pointed to a copy of the expert review?

Madam CHAIR: Minister, do you accept that question?

Mr McCARTHY: Yes.

Madam CHAIR: The question asked by the Opposition Leader is allocated the number 5.1.

Question on Notice No 5.2

Madam CHAIR: Opposition Leader, please restate the second part of that question.

Mr HIGGINS: Can I see a list of the times the Commonwealth has cut funding to the funding to the Territory that has had a direct impact on the housing, and if we could, some indicative amount as to how much that has impacted us since self-government?

Madam CHAIR: Minister, do you accept that question?

Mr McCARTHY: Yes.

Madam CHAIR: The question asked by the Opposition Leader is allocated the number 5.2.

Madam CHAIR: Are there any further questions on the minister's statement?

The committee will now proceed to consider the estimates of proposed expenditure contained in the Appropriation Bill 2019–20 as they relate to the Department of Local Government, Housing and Community Development.

Agency-Related Whole-of-Government Questions on Budget and Fiscal Strategy

Madam CHAIR: Are there any agency-related whole-of-government questions on budget and fiscal strategy?

That concludes consideration of agency-related whole-of-government questions on budget and fiscal strategy.

OUTPUT GROUP 1.0 – LOCAL GOVERNMENT, HOUSING AND COMMUNITY DEVELOPMENT **Output 1.1 – Housing Services Delivery**

Madam CHAIR: The committee will now to Output Group 1.0, Local Government, Housing and Community Development, Output 1.1, Housing Services Delivery. Are there any questions?

Mr HIGGINS: In Budget Paper No 3, page 141, there is a reduction in funding for the urban public housing stimulus package. Can you explain what that is, or is it coming to an end?

Mr McCARTHY: There have been three stimulus packages in urban public housing, I am proud to say. In regard to the variations, we will get that information for you.

Mr HIGGINS: Last year you said there was \$135m to be spent in this area this year. What is that budget now, and how much of that was spent? How much is left over and what is happening to that money?

Mr BAMBER: As the minister pointed out, there had been a number of stimulus programs. What you are seeing there is the roll-over of the \$69m across, which was then fully expended this year. The \$100m stimulus then came into play in this financial year.

Mr HIGGINS: Okay, so the \$69m is gone?

Mr BAMBER: As at April this year, the \$69m is fully expended. The \$100m, which was announced just before Christmas is en route now and that will go for 18 months.

Mr HIGGINS: The allocation for the Barkly Regional Deal—is that for social and affordable housing? That is Budget Paper No 3, page 141, and it is \$950 000. What is that?

Mr McCARTHY: That is correct, Leader of the Opposition. That is \$950 000. If Mr Bamber would like to continue?

Mr BAMBER: With regard to the Barkly Regional Deal, there is actually a total of \$78.4m. There is \$30m from the NT Government and the remainder from the federal government. I believe this is toward the visitor park. There is a string of housing-related initiatives. There is a \$5m visitor park with recurrent operational funding. Then there is the initial 20 houses we will be building. There is a string of projects.

Mr HIGGINS: I am specifically looking at the \$950 000.

Mr BAMBER: It is towards operating the visitor park.

Mr HIGGINS: Okay, so it is operational cost.

Mr BAMBER: Yes, it is recurrent funding.

Mr HIGGINS: Regarding the increase of households assisted into public housing—Budget Paper No 3, page 143—the explanation provided says that:

...relates to additional dwelling available for allocation in new households as a result of an increase in tenants vacating from existing dwellings and additional public housing stock.

What do we believe is the reason behind more people leaving public housing? Is it because people are leaving town, or have I misinterpreted that?

Mr BAMBER: We have had the benefit of the social headleasing program which is increasing our housing stock, which is our Defence housing model that is providing more. In reality, we turn over about 700 tenancies a year. These are transfers, as well as people moving into this additional social headleasing, but we have

also provided about 470 bond assistance loans. That is where we are assisting tenants moving into private accommodation. We provide the loan so they can raise a bond, and they pay it back over time.

Mr HIGGINS: That 700 turnover, is it possible to get a breakdown of whether they are people moving house, leaving, or have been given a loan? Could that be broken down to say the reasons behind the turnover?

Mr BAMBER: Could we take that on a question on notice? There will always be transfers—say they are in a three-bedroom house but have reduced to a two-bedroom or a one-bedroom. You will have transfers which are closer to medical facilities. There is always internal transfers occurring, and then we are allocating from the waiting list—the general waiting list and the priority waiting list.

Mr HIGGINS: I will not specify the categories that I want it broken down to, just the categories that you have, so can I put that on notice?

Question on Notice No 5.3

Madam CHAIR: Opposition Leader, can you please restate the question for the record.

Mr HIGGINS: Could I get a breakdown of why those 700 turnovers occur each year into categories that you may have records for?

Madam CHAIR: Minister, do you accept the question?

Mr McCARTHY: Yes.

Madam CHAIR: The question asked by Opposition Leader of the minister for Housing has been allocated the number 5.3.

Madam CHAIR: Any further questions on Output 1.1?

Mr HIGGINS: How many antisocial behaviour complaints at housing complexes have we had in the reporting time frame? Provide the by region, if you could.

Mr McCARTHY: While that is going on, Leader of the Opposition, it is probably a good time to just talk about the \$69m stimulus into urban public housing and now the \$100m stimulus, very much targeting the improvement of the asset and the amenity, increasing the life of the public housing asset but also raising the wellbeing of the tenants. Whilst I am not going into too much detail, there have been some really pleasing results across the Northern Territory, particularly in public housing complexes in Alice Springs where we have seen a reduction in antisocial behaviour.

It is at a point now where the residents are starting to work closer together as residents and with the department, with our Public Housing Safety Officers and really acknowledging and celebrating the increase and the improvement to amenity of the dwellings. Most of this work that I have been shown by the department officials relates to crime prevention through environmental design. We are using good, documented principles to improve the amenity and the landscape and the environment of these public housing dwellings.

In terms of numbers around antisocial behaviour reports, we have those.

Mr BAMBER: Before we get into that, the other element that has really assisted is a group called the Crossover Families. This is where you have a family that is struggling, not just with us, but they are struggling with budget, truancy et cetera. There is a Crossover Families forum where we, along with Health, Territory Families, Police, Corrections, get together and we look at the assistance required by a family and then we work together on that. We have seen some really good results by working together and also working with the support NGO sector to really turn that family around and give them the support they need rather than operating in silos. That has also made a big difference.

Mr CHALKER: Leader of the Opposition, what I can tell you is that across our antisocial behaviour types—which are predominantly urban focused because that is where we can ensure that the reporting is accurate given our Public Housing Safety Officers are in operation and that covers the greater Darwin area, Katherine,

Tennant Creek and Alice Springs—we have actually seen reductions across all of those antisocial behaviour categories.

Where allegations of antisocial behaviour have been recorded in 2017–18, it was 6008. In the last financial year it was 4807. In substantiated antisocial behaviour incidents, the previous year was 2611. This year it was 1955. Confirmed trespass allegations: 389 the year before; 313 this year. Confirmed allegations relating to alcohol restricted premises: 349 previously; 269 this year. Confirmed allegations of failure to comply with a notice of direction: 235 the preceding year; down to 48. That is a real testament of the engagement and growth in the number of Public Housing Safety Officers and the engagement outcomes that have come from that.

The number of notices of direction issued, 222 the previous year; that is now 75. Litres of alcohol tipped out: previously 333; down to 224. Number of unwanted visitors removed from public housing premises: 5705; this year, 3382. The number of members of the general public removed from public housing premises: 2138 the previous year; down to 1567.

What we know is that visitors who are coming to visit our public housing tenants are still causing some level of interaction and problem; however, the level of reporting to our Public Housing Safety Officers and the trust that they have built now, has started to see a significant reduction in antisocial behaviour around our public housing properties.

Mr HIGGINS: Would you see that as the most common complaint? Visitors?

Mr CHALKER: Yes, and the antisocial behaviour that comes with it. Invariably we do not tend to find our tenants as being the primary offenders. It is normally unwanted visitors.

Mr WOOD: In relation to alcohol-restricted houses, are you the people who administer that and take action against people breaking the law?

Mr BAMBER: Can we first say that we do not mandate the alcohol restrictions; they are voluntary. We will work with the tenant to look at what is going on with that tenancy, and to see how the tenancy can be sustained so they can stay in the house and have a good house for their kids et cetera.

They can apply for a voluntary restricted liquor premises sign, and you will see those signs go up, but then we go to the Attorney-General for the actual register.

Mr WOOD: So they are actually registered?

Mr BAMBER: Yes.

Mr WOOD: Communities have houses funded by either the NT Government or the Commonwealth, but they are managed by, in my case, Yilli Rreung and the land is owned by Aboriginal Development Foundation. Do those Housing people have any role to play on those communities?

Mr BAMBER: We do not. Not on those communities.

Mr WOOD: Is Bagot covered by it?

Mr BAMBER: Bagot is Gwala Dariniki. We are not directly a landholder in that.

Mr WOOD: So, it is only NT Government public housing?

Mr BAMBER: Yes, except in Alice Springs. We have a landlord relationship for the 285 dwellings in the Alice Springs town camps, and in Tennant Creek we have a landlord relationship for the 101 dwellings on the community living areas. Again, we will work with the tenants.

There is one place where we do mandate the restricted alcohol, which is in the complex common areas. We own those common areas, so we can definitely apply restrictions there. The tenants' right to quiet enjoyment under the *Residential Tenancy Act* says that we cannot impose it inside the house. That is where we work with the tenants.

Mr WOOD: Do you have to give permission for a restricted drinking area in the house, because you are the owner of the house? Do you have to give permission for that to happen?

Mr BAMBER: They are the tenants, so we cannot restrict that. It is a voluntary restriction.

Mr WOOD: What I meant is, before they ask for a voluntary restriction, would you have to give permission, because they do not own the house, you own the house?

Mr BAMBER: It is done in cooperation, by good work with the tenant and then we will go and make that application.

Mr WOOD: I was not sure who had the power.

Mr BAMBER: There is one example where we have, actually—Mokari complex in Alice Springs. The bulk of the tenants want Mokari to be alcohol free, so we are looking for tenants who want to be given an alcohol-free complex, to be the ones who go into that complex.

People who still want that freedom are eligible for a transfer to a different complex. Up to 70 or 80% of the tenants in Mokari complex are alcohol-free by choice. There is a massive reduction in antisocial behaviour as a result, as well as the work we have done under the stimulus program.

Mr HIGGINS: Budget Paper No 3, page 143, says there are 1600 people provided with support to sustain their tenancy. What sort of support, and I acknowledge you were giving a bit of a description before, of everyone working together. Do we have any idea of how much that might cost us to provide that support? So is there any direct cost associated to that?

Mr BAMBER: We have \$23.8m in NGO funding that we provide for homelessness support and homelessness prevention. A lot of the support cases are from the NGOs—Mission, the Red Cross, Anglicare—a range of providers funded by us, who are providing support to our mutual clients.

Mr HIGGINS: What sort of support is that? What are they providing?

Mr BAMBER: It varies. It could be domestic violence support, it could be support with budgeting or living in the home. It is a wide range of support.

Mr CHALKER: Leader of the Opposition, I can add specifically as it relates to the bond assistance, for example, we assisted 392 applicants, which was a 25% increase of those who are choosing to transition out of our housing into the private market.

Mr HIGGINS: Yes.

Mr CHALKER: It is important to note that the affordability of the private market has probably come down to an almost at par level for some of the rent-free hours for those people who are over entitlement.

Mr HIGGINS: Can you tell my kids that?

Mr CHALKER: I will leave that to you, Leader of the Opposition. The total value of that bond assistance for the loans, up to 31 March this year, was \$964 000. That is allowing them to transition out. That then allows for us to place people off our waiting list into public housing accommodation.

Mr HIGGINS: You state that there is a significant drop, and it was from 44 to nine, in youth social housing head leasing dwellings and you state this reflects challenges for developers to secure finance in the significantly tightened lending market and delays in obtaining approvals from the Development Consent Authority for new developments. It actually jumped from 44 to nine.

The question is, why are we then predicting that it will jump back up to 49 next year? It seems a significant jump. I know that 44 was alright and this year we have only had nine. All of a sudden we are jumping back to 49. Why such a big jump? I do not see that the problems we have now are just going to improve automatically overnight. I am not going to say they are not going to improve, but the thing is why the big jump? Is that wishful thinking there?

Mr BAMBER: The 44 that we budgeted, that was the target we thought we would be able to negotiate with the social head lease responders, and then sign and get moving on it. In the end we were, because the royal commission on banking really tightened up lending and post-INPEX CBD properties in particular, there was

an oversupply that also impacted on the willingness of banks to lend. That caused an issue for a number of the responses.

We have looked at how we could modify the product to what we were asking for. We looked for more relaxed take-up of properties, so we will take up more of the properties—not too many, because we do not want massive, multistorey public housing complexes, a bit more relaxed—but all of that took time. Coming back, saying, ‘Is it okay if we negotiate with you on parameters?’ and going back, then negotiating again—all of that took longer.

That 49 is us getting through that process so we can move forward and start actually awarding them. Through improved negotiation parameters, us being a bit more relaxed about what we are looking for, and then working through their responses or their proposals, we actually have a number signed up now, but they have to be delivered.

Mr HIGGINS: Are you confident the changes and the relaxing will get us to that 49?

Mr BAMBER: Yes.

Mr HIGGINS: Hopefully over it?

Mr BAMBER: Yes.

Mr HIGGINS: I will not make you commit to that, sorry.

Mr BAMBER: Let us just stick to ...

Answer to Question on Notice No 5.1

Mr McCARTHY: Madam Chair, if I could just table the document requested by the Leader of the Opposition for question 5.1, Remote Housing Review: A Review of the National Partnership Agreement on Remote Indigenous Housing and the Remote Housing Strategy 2008–2018.

Madam CHAIR: Can you just clarify that number for the record?

Mr McCARTHY: Question 5.1.

Madam CHAIR: Thank you very much.

Mr HIGGINS: Along a similar line of questioning, you budgeted for 22 new constructed urban public housing dwellings, but we only got 10 done due to—according to the budget papers—delays in priority changes in planning and procurement. That is on Budget Paper No 3, page 143. But you are predicting a jump of up to 60 new urban housing dwellings in 2019–20. Again, why that big jump? What budget has been allocated for that new housing and does this include some of the John Stokes Square redevelopment?

Mr BAMBER: It does not. There were delays in areas like Tennant Creek, for example, we were looking to get 10 new dwellings built. We had to go through approvals with Julalikari for use of the serviced lots in the living area, so that took some time. We are working with DIPL on those tenders going out for delivery of those 10 dwellings. They were programmed for this year. We just did not get there, but the tenders are imminent to get over there. That is why we are confident about that.

Also the urban renewal program—we have been working our way through. We actually have a number of projects in train already. For example, there are 14 that were programmed in Alice Springs; six of them are done and the other eight are on their way now. The minister went through two of them last weekend.

Those programs are rolling now. The other benefit we were getting though is, out of that \$100m, \$20m we have allocated for new builds. Which is why I am confident about the numbers.

Mr HIGGINS: To put it in a simple term, it is a carry-over.

Mr BAMBER: Yes.

Mr WOOD: In relation to the newly constructed urban public housing, I have been looking at waiting lists for a long time and they do not—except for Nhulunbuy because it had a population decrease—seem to have made a big change in the number of years they have to wait for a house, even a priority house. Is there any expectation that that could ever be lowered or is it simply the way it will be forever and a day? People come in, people go out, houses will be sold et cetera. Is there any hope for the waiting list to be a little shorter than six to eight years?

Mr McCARTHY: The Department of Local Government, Housing and Community Development, house 27% of the Northern Territory's population. I think because we do a good job and because we are doing an even better job now, there are more and more people applying for urban public housing. I will get the CEO and Mr Bamber to give you more context around that.

Mr CHALKER: The reality is, it will always be a struggle for it to truly diminish because as people hit various points of time in their life, they are going to have an application into the process. We see a constant growth in our waiting list. We have been doing a fairly significant amount of work as it relates to the profile or our housing and around the under-utilisation. When you have a waiting list that exceeds 4000, you want to try to limit times when a single person may be living in a three-bedroom home for example.

That is always a challenge when you have had someone who has lived in the home for 30 to 40 years, raised a family and they identify with that as their family home. At the end of the day, our pressure point is that we have a large percentage of our population—the largest of any jurisdiction in Australia I might add—that are seeking housing provided through the means of which we do so.

To give you an indication of all those assets how busy we are, up to March this year, 553 allocations were made off that waiting list. That is a significant percentage of 4000 but it actually made no dent. The harsh reality is that for everybody we allocate, there is a fresh applicant, whether they have moved here or choosing to move from somewhere else where they are currently at, and so the frequency which we are turning over is such that pretty much every day of the week, our people are out engaging with new allocations, preparing new vacancies, making sure the homes are at standard. The work is constant.

Will we see a reduction? I would suggest that even if we build another 3000 homes—and it would take a significant period of time to do that—again, people will choose to apply. Equally, not everybody that we go to who has applied when he have a place available, is ready to go into that accommodation and will choose to stay on the waiting list as well. It is quite a complex beast. It does cause a challenge for people because they keep seeing that waiting list and those figures are large. There is no doubting that but there is a whole lot of complexity that sits underneath it. Despite the significant turnover of accommodation for new people who come off that list, it does not diminish, we only continue to see it go one way.

Mr WOOD: I know I was there when the minister opened Venture Housing in Palmerston. Obviously people who use your houses pay rent. I look at some of the houses in the northern suburbs and they are simple design—three bedrooms, shower and toilet, kitchen and a bit of a lounge room. Straight house, no fancy bits and pieces. Today you see more complicated houses.

Is there any push by the private industry to look at returning to some of those simpler model houses and—to put it the wrong way—compete with public housing by providing a simple house at rent that is competitive with what you are doing or do they not want to be in the market at all?

Mr CHALKER: There is an affordable rental market, but what we are also seeing is the affordable homeownership market. Obviously the recent announcements in relation to that have shown quite a good stimulus for the first homeowners in the market place.

If I point to our bond assistance—that is actually showing that people are choosing and keen to get in to the private market, so when I talk about the 25% increase on that—when our tenancy managers are engaging with people if they have an aspiration to try to move in to private accommodation outside of the provision of our social housing we are facilitating that. We are trying to actually engage with them and create that pathway and the take-up rate I suggest is quite positive to that.

The other conversation we also have is around homeownership of the public housing property that they may be and if there is an opportunity for them to look at that pathway. Equally, we have people choose to take that option up.

It would be fair to say, where the current property market is there is a significant amount of available rental accommodation. A cursory search of either of your web domains will show quite affordable rent out there and is a significant proliferation of that on the market.

Mr BAMBER: Our bond assistance is up by 25% this year for the same period last year. There are more people taking advantage of that.

Madam CHAIR: I will remind members that we are still on Output 1.1.

Mr HIGGINS: I note that there are no planned sales for urban public housing this year. Can you explain why? I am not saying it is good or bad, but why do we not have any this year?

Mr McCARTHY: The market conditions will not warrant a return for the taxpayer.

Mr BAMBER: There is with one exception, minister. Where a tenant opts to buy a home we will look at that. It is not a guarantee but we will look at that.

Mr HIGGINS: Okay. Next year we may see some sales and we cannot come back accusing you of telling us porkies.

John Stokes Square, is that on time and on budget? How is that going?

Mr BAMBER: Yes, it is. We have had the benefit of a \$45m program for John Stokes Square. That is to build a 24/7 police station and to replace our 75 units which were end of life. If you have been through John Stokes Square you will have seen that.

In terms of it being on track, the demolition tender has been awarded and we are working with police and DIPL with regard to the design and the associated cost of all three elements—the police station, our residential complex but also the works to open up a greenway—you have an activated village centre between the Nightcliff shops and the Nightcliff supermarket—that becomes now a throughway. It is really going to activate that area.

Mr HIGGINS: At this point you would say it is on time and in line with what is expected?

Mr BAMBER: It is on time and it is in line.

Mr HIGGINS: With those 70-odd replacement dwellings ...

Mr BAMBER: Seventy-five.

Mr HIGGINS: Seventy-five—are some of the old tenants going to move back in to that? Is that part of the deal? What is the situation with them?

Mr BAMBER: The model that we are looking at there is we have an aging population and we also recognise the need to provide disability support accommodation. The complex will be designated for seniors and for disability support.

Some of the tenants who are seniors or requiring disability support may be eligible to move back in but the general tenants will not. They have all been allocated to other dwellings. It is the same as what we did with Kurringal; they were all allocated to other dwellings.

Mr HIGGINS: When we talk about senior or disability—disability always creates some distinctions—how many of those would be for wheelchair access or wheelchair friendly out of the 75? Do we know how many of those are at that level?

Mr BAMBER: They will all be wheelchair enabled, but we are looking for people who are still mobile so they can take advantage of an activated village centre. We are also looking, as part of the design, to have facilities for supporter services on the ground floor so that it really is self-contained. They have access to Nightcliff supermarket and medical facilities there, the dialysis unit around the corner and the shops.

Mr CHALKER: Leader of the Opposition, we are not seeking to supplant the specialist disability accommodation and all the providers currently in that space. Clearly, they are accessible through the NDIS scheme. This is about providing a provision for generalist—and I use that term to ensure there are relevant

services available for people who identify as having a disability across the full spectrum. The more acute cases would still need to utilise a specialist disability provider to get the full support they need.

Mr HIGGINS: I will tell a recent story. Twelve months ago my sister fell down a man hole and broke her shoulder, legs and everything. She was stuck with us for about four months in a wheelchair, which was not easy to have in a regular house. Will any of that be made available for those sort of people who would want it like that temporarily?

Mr BAMBER: This is probably more for longer-term living than for temporary respite. As Jamie has said, the specialist disability industry, if you like, still has a role to play.

Mr HIGGINS: I just thought I would ask that as an aside. What is the status of the Housing Accommodation Support Initiative in Darwin? What KPIs do we have on those? Are they being met? What budget allocation does it currently have?

Mr BAMBER: Which area? I just want to narrow it down to what aspect of the Housing Accommodation Support Initiative.

Mr HIGGINS: It was the Housing Accommodation Support Initiative I was referencing before.

Mr BAMBER: Oh, the HASI program.

Mr HIGGINS: I did not know the acronym; I just knew the full words. You can tell you come from a computer background.

Mr BAMBER: This is the mental health support visits for public housing tenants? That is actually operated by Health. The target is for public housing tenants, but it is operated by Department of Health.

Mr HIGGINS: We missed that one. That was a shame.

Mr BAMBER: We work very closely with the Department of Health with regard to identifying tenants who may benefit from those programs. It is definitely paying dividends for our tenants. Without going into detail, we had an example where someone had a mental health disorder but did not recognise it, which is not uncommon. We were able to work with Health and relevant NGOs to provide assistance and there was a real turnaround in behaviour.

Mr HIGGINS: I will need to ask that as a written one back to the other minister. How many new public housing dwellings are planned to be built in Darwin, Palmerston, Katherine, Tennant Creek and Alice Springs. I am after the breakdown of those.

Mr McCARTHY: In 2019–20 or 2020–21?

Mr HIGGINS: In 2019–20.

Mr BAMBER: If I go through—Darwin region ...

Mr HIGGINS: If there is a table of those, you might just want to table it if it has additional information that is not confidential.

Mr BAMBER: Can we take it as a question on notice? I will see if I can get it in the interim.

Madam CHAIR: We might still give it a number just in case.

Question on Notice No 5.4

Madam CHAIR: Opposition Leader, could you please restate the question for the record.

Mr HIGGINS: How many new public housing dwellings are planned to be build Darwin, Palmerston, Katherine, Tennant Creek and Alice Springs in 2019–20?

Madam CHAIR: Minister, do you accept that question?

Mr McCARTHY: Yes, Madam Chair.

Madam CHAIR: The question by the Opposition Leader of the Minister for Housing has been allocated the number 5.4.

Madam CHAIR: Are there further questions on Outlook 1.1?

Mr HIGGINS: How are you going with your master plan for using Territory Housing properties as emergency women's shelters?

Mr BAMBER: I believe the election commitment was to develop a master plan for public housing dwellings being utilised as emergency shelters.

Mr HIGGINS: Yes. So the question was, how are you going with that master plan?

Mr BAMBER: I have an update here. A strategic framework is to be developed internally and engagement undertaken with Territory Families which delivers services to the sector. Basically, we are working with Territory Families.

Mr HIGGINS: How far progressed is that? Where are we at? I presume from what you have just read that we have started doing some planning on that. How far have we got with it?

Mr BAMBER: Preliminary consultation has indicated the need for such services and that the other side and control of the provision of these services is held by the funding bodies, which includes Territory Families as the largest NT Government funding agency of women's emergency accommodation. The department will continue to work with Territory Families and key stakeholders to determine how many assets might be required for the provision of these services. It is a work in progress.

Mr McCARTHY: If I may say further that that might be a good question for Territory Families. As the housing provider with industry housing programs, we take requests all the time and we are very supportive. I would like to put on the record my thanks for the thank you letters to the department from the MJD Foundation on Groote Eylandt. Two dwellings were provided to support their clients in the greater Darwin area. That would be a good question for Territory Families.

Mr HIGGINS: In the provision of those two, do we know the cost of making them suitable for shelters? I mean you may not have that—the minister just mentioned two that were in Darwin. Do we know how much it adds to the cost?

Mr CHALKER: That would all be on an individual case-by-case basis. You are referencing the MJD ones, for example. That was simply the provision of the accommodation. Again, if they seek to make any modifications they will engage with us on that, but invariably it is at their cost.

Mr HIGGINS: There is \$860 000 according to Budget Paper No 3, on page 141, for additional Public Housing Safety Officers in Katherine and Tennant Creek, but this is the same allocation we had last year and were told that it would be providing for three extra staff in Katherine and Tennant Creek. My question is, is it an additional three on top of that, or is that just the ongoing funding?

Mr BAMBER: It is the ongoing funding. We have now established three in Tennant Creek and three in Katherine. We have retained the six plus the team leader in Alice Springs and the 14 plus the team leader in Darwin.

Mr HIGGINS: It is just a bit confusing.

Mr BAMBER: It is recurrent funding. It covers the salaries, vehicles ...

Mr HIGGINS: How many Public Housing Safety Officers are there in each of the Territory centres? I rattle off Darwin, Palmerston, Katherine—the same as before—and Nhulunbuy. You may have some different breakdowns of that. How many do we have?

Mr BAMBER: We have in Alice Springs, we have six plus a team leader; in Darwin we have 14, plus a team leader; in Tennant Creek we have three; and in Katherine we have three.

Mr HIGGINS: Who do Katherine and Tennant Creek report to if they have not got a team leader, or you do not need one?

Mr BAMBER: They report to the team leaders in Alice Springs and Darwin respectively for their regions, north and south.

Mr HIGGINS: We spoke before about the antisocial behaviour stuff, and I think the figures were around six and had gone to 4000, from memory. How many times are the Public Housing Safety Officers called out for assistance? Would it match that exact number or is there an increase?

Mr BAMBER: If I can describe the general approach—calls to public housing safety officers have regular patrols. We do what we call hot-spotting. If there are known areas of antisocial behaviour, we will do hot-spotting and run around on patrols.

In addition, if there are calls made by the public, they go to the police line, the VK dispatch. It assesses, on the basis of the call, whether it warrants a police response or a public housing safety officer response, and then they will make that dispatch.

Mr McCARTHY: The Opposition Leader was asking about the nature of the callouts.

Mr BAMBER: Okay. For the nine months to 31 March, we received 4807 allegations of antisocial behaviour, 3051 were from the general public and 1756 were from our observations as we patrolled. Of those, only 1955 were substantiated incidents, of which 1746 were associated with a tenancy, and 209 were associated with the general public.

Mr HIGGINS: They pretty well fall in line with the reports we had of complaints. What is the portion of public housing officers to the number of properties? When we say we have 14 in Darwin, what is that relationship with the number of houses compared to Katherine or Tennant Creek?

Mr BAMBER: We have 3500 properties in Darwin for example, all the way down to Batchelor, 55 in Batchelor. There is 15 for those 3500. Keep in mind, we are not hot-spotting every of those 3500 dwellings.

Mr HIGGINS: That is 300 to one, is that right?

Mr BAMBER: We are not hot-spotting every single dwelling every night. It is more the 10% where there is antisocial behaviour. We would have to respond to those.

Mr HIGGINS: How many houses are in, say, Tennant Creek—I think from memory there is three.

Mr BAMBER: For Tennant Creek, say 233 if you include the living areas.

Mr HIGGINS: So, for Tennant Creek the relationship is, say, 300 to one.

Mr BAMBER: Keep in mind, we work really closely with the police in all those centres. There is a collaborative relationship there. We also work with the relevant night patrols. We work with Territory Families outreaches, for example, when they operate after hours. We are working together in response to needs.

Mr HIGGINS: I am not querying the numbers, I am just trying to get the ratio in the different areas.

Mr BAMBER: In Alice we are looking at 1000, and Katherine is 500.

Mr CHALKER: Leader of the Opposition, it is important to highlight that the quantum is not one of the influences. If you are talking about trying to provide coverage and the relevant shift works, that plays a factor in the capacity of what you have. With Tennant Creek and Katherine, for example, three is the minimum we can have because they cannot work one up; that would be in breach of Work Health and Safety obligations.

We always try to ensure there are at least two up, and the third will try to have some crossover shifts with them, which will do some case management as well as general referrals. Similarly for Alice Springs, whilst the number of complexes is somewhat smaller, we need to try to provide as much coverage as we can, particularly in the hot spot areas. Similarly in Darwin, there is obviously a larger footprint. There are a few factors; it is not exclusively down to a ratio on the number of assets they are engaged with.

Mr HIGGINS: That is fine, I appreciate that.

Mr BAMBER: I cannot emphasise enough, the collaboration of the police and other agencies has assisted with that reduction in ASB this year.

Mr HIGGINS: How many tenants have we evicted in the reporting period? If you have a breakdown of those in the regions it would be good, but I do not need that. And are all of those the results of reports from the Public Housing Safety Officers? How many would be related to not paying rent, housing inspections or something?

Mr BAMBER: Year to date, it is eight. None from antisocial behaviour, compared to three the year before. Four for rental arrears, compared to five the year before. Four for abandoned premises where we have gone to the NTCAT to say they are not living there, so we need to get orders from you to convert it to the year before. In total there are eight year to date, compared to 10 the year before. And we had four termination on the basis of not being eligible.

Mr HIGGINS: Yes. Do we do any transfers?

Mr BAMBER: Yes we do.

Mr HIGGINS: How many transfer because of problems?

Mr BAMBER: I do not have the numbers, but we do transfer tenants where, for example, the house becomes known to the, say the community, so we will offer a transfer to the tenant to say, 'How about we get you somewhere you can effectively start again'? We do those transfers, and that also has an impact.

Mr HIGGINS: How many of those do we do a year?

Mr CHALKER: I have the answer: 217 transfers up to March this year. That is within urban housing. That is a credit to many of the tenancy managers, particularly in neighbourhoods where there may be unwanted visitors.

Once we have our tenancy managers engaged, you can either identify if there is a particular issue, and through engagement, the transfer is normally willingly accepted, because the individual tenant and all the family dynamic struggle to manage the relevant family and business so a relocation in a more supportive environment tends to have a significant outcome for us.

Mr PAECH: Leader of the Opposition, could I jump on the back of that question, if I may?

Mr HIGGINS: Yes.

Mr PAECH: Is the eviction process the same in urban public housing as it is in remote public housing?

Mr BAMBER: It is the same *Residential Tenancy Act*.

Mr PAECH: Yes. I am mindful though, that the federal government has the horrendous Community Development Program which breaches people for eight weeks. They are then not able to service their rental payments, so what provisions are in place for working with tenants if they are subject to that horrendous Community Development Program?

Mr BAMBER: In practice, we do not pursue evictions in remote communities, particularly if you already have a crowded community, because—where would you evict them to? As a model social landlord, you cannot do that.

Mr PAECH: In an urban situation, people are still subjected to those same conditions. What would be the process in which housing works with those people to help them sustain a tenancy because, obviously, Territory Housing is the place that provides safe, secure and affordable housing?

Mr BAMBER: We have a range of initiatives. First, it is an absolute last resort for us to evict anyone. We will work with those tenants, we will work through crossover families, and with the supporting NGOs. We have a program called Towards Independence, and that programs provides full wraparound support of a household to help them get back on track.

We will do everything we can to keep that tenant in a sustainable tenancy. There are situations, though, where we have to take that ultimate sanction, and even then we will work with the NGOs who also provide accommodation to see if we can bring a landing there.

Mr PAECH: If a public housing tenant is breached from Centrelink, and they notify the department that has happened and they will not have income for eight weeks—because that is what they are being penalised for, is the department able to work with them so that when they are engaged back on payment, they are able to meet those arrears?

Mr BAMBER: We will set up an arrangement to pay.

Mr PAECH: We allow for that provision?

Mr BAMBER: Exactly. The last thing we want to do is evict. This is why you are seeing so few cessations, because we are doing everything we can to keep the tenant in a sustainable tenancy, including those internal transfers the CEO referred to. This is about how we keep that tenant—what tenancy support programs we can offer to help someone live in that house.

There is a visitor management policy where, up to two weeks, we will make an assessment as to the visitor who is causing issues for you and your family. Then we can do something about it so you can maintain your tenancy.

Mr McCARTHY: If I can go back to transfers. It is important—if Mr Bamber would like to outline other reasons for transfers. It is not just about antisocial behaviour or high-support needs.

Mr BAMBER: I alluded to it earlier. There are transfers for medical reasons because it is underutilised and we have been able to offer them somewhere more suitable to move into. We can then move a family into a three-bedroom house, for example.

There are transfers where they want to be at Casuarina, for example. They really want to go there so they will put themselves on the list for that. There are a range of reasons for transfers.

Mr HIGGINS: How many people transferred in and how many transferred out in the last 12 months?

Mr BAMBER: We will have to take that on notice. We have 55 dwellings.

Question on Notice No 5.5

Madam CHAIR: Opposition Leader, please restate your question for the record.

Mr HIGGINS: Can I find out how many transfers in and how many transfers out occurred in Batchelor as well as some indication of the category of why they did them?

Madam CHAIR: Minister, do you accept the question?

Mr McCARTHY: I accept the question. From a local member perspective, are you noticing a high turnaround of public houses in Batchelor?

Mr HIGGINS: There are anecdotal complaints about that, so it would give me some information. I have written to the department on some of these anyway.

Madam CHAIR: The question asked by the Opposition Leader is allocated the number 5.5.

Madam CHAIR: Are there further questions on Output 1.1?

Mr HIGGINS: There has been a marginal increase in the funding for accommodation for young people transitioning from out-of-home care. The increase is around \$300 000 in Budget Paper No 3, page 141. Is that an actual increase or is it expenditure by being moved to the next?

Mr CHALKER: That has been awarded to Mission Australia over this financial year, so that initial funding was the build-up element for that. We are doing that in a lower number to allow them time to target particular—and the future growth is factored into that funding as the recurrent funding for that program.

Mr HIGGINS: That is a prediction on the increased allocation.

Mr CHALKER: Correct. It was a recommendation out of the royal commission.

Mr HIGGINS: Do we get figures on how many people have benefited from that by region from Mission Australia?

Mr CHALKER: We will be able to, but they have not commenced the program prior to the assessment period. For the next estimates they would have started accommodating people.

Mr HIGGINS: The Member for Nelson previously asked how many people are on the waiting list for public housing in urban and regional areas. Can we get that breakdown by region?

Mr CHALKER: Do you want the waiting list by region?

Mr HIGGINS: Yes, if I could.

Mr CHALKER: For the 2018–19 financial year, for the Darwin region, 1748; Palmerston, 709; Katherine, 472; Nhulunbuy, 99; Tennant Creek, 193; and Alice Springs, 1150.

Mr HIGGINS: That Katherine figure seems high. I also noticed that you tendered for a consultancy for the development of the Northern Territory housing strategy. Have we had a selection on that yet? What sort of cost is associated to it, and when might it be ready?

Mr CHALKER: That is being resolved at the moment.

Mr HIGGINS: We have not awarded that at this point?

Mr CHALKER: Not that I have seen the paperwork for.

Mr HIGGINS: When we put that out, do we have a time frame on when it might ...

Mr CHALKER: There will be.

Mr HIGGINS: Do we know what that was?

Mr CHALKER: We will aim to have that resolved by the end of this financial year. With the national housing and homelessness agreement that moved ahead last year there is an obligation for us to have a published housing strategy, as there was for a homelessness strategy. We completed the homelessness strategy and that got announced earlier this year and the housing strategy is now linked onto that and will be that final piece of work, so we aim to have that approved by Cabinet by the end of this year.

Mr HIGGINS: So that is the end of this calendar year or financial year?

Mr CHALKER: Calendar year.

Mr HIGGINS: I was going to say, we do not have many weeks left before the end of the financial year. It is going to be pretty quick. You have said previously, the turnaround times for vacated properties can vary based on the condition of the property, the repairs and the maintenance needed. My question here is, do we have any recourse on tenants who have indiscriminately damaged a dwelling? How are we following that through? You might want to just answer that from urban and regional, if we talk about remote housing.

Mr BAMBER: Generally we have a tenant damage policy where if we can demonstrate that the tenant has caused the damage and it has not been inflicted by a criminal—someone else attacking the house—then we will basically pursue the tenant for repair of those damages.

Mr HIGGINS: Does that vary when we go out to remote housing?

Mr BAMBER: No we will still pursue tenant damages. If the tenant does not pay, then it becomes a debt against that tenant and the tenancy.

Mr HIGGINS: So that applies whether it is urban or remote exactly the same. How successful are we at getting that money back? Say, urban compared to remote.

Mr BAMBER: The success would vary, I would say, by tenant.

Mr HIGGINS: What is the average cost of a dwelling once it is vacated, forgetting the ones that are damaged, to bring it up to speed again?

Mr BAMBER: That is highly variable because, as I said, we have 700 turnovers a year and there may be turnovers where it is a fresh house and it has been a light recent tenancy so that obviously will cost a lot less. We also have tenancies where they have been in the place, say it is an under-utilised dwelling, for 20 or 30 years. For us to have access to the house to do a full makeover, to freshen it, would obviously cost a lot more.

We also have properties where, say for example, there has been a fire and there is fire damage. It varies by the state of the house when we take it over, the age and condition. We have houses that are pre-Cyclone Tracy. They are upwards of 50 years old but the roof is gone, the tin is gone, the (inaudible) tiles are gone, the kitchen is obviously completely dated, the wet areas need a full refit. We have houses where it is still solid construction so we will do a high-order vacate on those because we do not have the capital to do a lot of new dwellings. It really does vary.

Mr HIGGINS: How often do we inspect houses to see the status of them in that regard? They might want work done so describe the house, it has had a whole lot of problems and people have been there for many years. Do we update some of that while they are still there, the same as you and I would in our own house?

Mr BAMBER: Where we can, and the stimulus programs really helped with that so we actually have the money to do roof replacements. Where we can do it with the tenant in situ, we will effect those repairs or the paint or putting a driveway or a carport in to provide better amenity. Some though, we actually have to relocate the tenants in order to do a fit-out. It really does vary.

While we are on new builds, if I can go back to one of the earlier questions. I finally found it.

Answer to Question on Notice No 5.4

Mr BAMBER: For 2018–19, we have already delivered 24 which was 16 replacement dwellings and eight new dwellings. Under construction as at 31 March, we have 13 replacement and 10 new dwellings. Our total for 2018–19, we are looking to deliver 29 replacement dwellings—where you knock over and replace or do an in-fill—and then 18 new dwellings. For 2019–20, we are aiming for 38 replacement dwellings and 10 additional dwellings. I would have to get you the breakdown by region.

Mr HIGGINS: You talked about replacements—I think it was this department that I asked the question of as opposed to Infrastructure or whoever does the buildings. What is the economic value of a property? Where do we draw the line to say the repair—I do not have the figures from last year, but is that reviewed annually or is it just a rough guide? What is the economic repair-type figure at the moment?

Mr BAMBER: Again, it varies on a case-by-case basis. We have had a number of the replacements this year where we took a large, say, 1000-plus block with an old three-bedroom brick home on it towards the end of its life. We have taken that house out and put in place two houses—one two-bedroom and one one-bedroom. We have a high demand for one- and two-bedroom homes. Not everyone wants to live in, say, a tower or complex. That is really addressing a need. We are getting two dwellings out of one lot as a result. It really is on a case-by-case basis—the state of the dwelling in terms of whether it is easier to do a vacate and upgrade and leave it in place or do a complete replacement.

Mr HIGGINS: Who makes that decision?

Mr BAMBER: We have a team which does those assessments. It is called the future intent framework assessment. Basically, you are looking at all the dwellings we have, where the dwelling is, whether there is

too high a density in a suburb where there is a lot of public housing in one place. Then you make a call as to whether you sell that dwelling or replace it with a duplex or even a complex if you can put some lots together. We have a team that makes that assessment.

Mr HIGGINS: Is that team fully in-house or do we get outside people.

Mr BAMBER: That is in-house. We will work with DIPL, the construction agency, of course. We will work with them in terms of the design and construction et cetera, but we will make the assessment in terms of what our need is. We have an awareness of what our need is for one-bedroom, two-bedroom, three-bedroom, four-bedroom and five-bedroom senior dwellings.

Mr HIGGINS: Is every house put through that or does someone refer it? Say you are doing a house inspection and someone decides work needs to be done on it, do we have some guideline for that or is every one submitted to that group?

Mr BAMBER: Because our service delivery teams are conducting these—one of the other questions was on how often we look at it. We have property inspections, so we have that opportunity to look at the house and make an assessment in terms of where the house is at. They will make a referral, but the best opportunity is those 700 turnovers to say 'This property is vacant. What will we do with this property now?'

Out of the 5000 dwellings we have in urban areas, the team has an awareness of all those dwellings, but then you wait for that opportunity when it becomes vacant. If it comes to a state where you really have to do something about it, we will arrange a transfer so that we have access to that property.

Mr CHALKER: I might add that I actually removed the limit on what would have been identified as beyond economic repair. The reason for that was that we were probably setting ourselves up to expend our social dollar for not always the right outcomes. We have put a lot of trust in respect to our teams, but this has been across the board, and certainly an experience we picked up through the remote housing program delivery with Room to Breathe, for example—we went to a community expecting that we had to build a number of homes. They indicated they did not want any additional homes, they just wanted Room to Breathe.

As we have become more exposed to dealing with the condition of these properties, and through the work our people have done through the town camps and initiatives there, homes which we thought would need to be knocked over—when we have done the structural integrity we assessed that we could add 20 to 30 years of life to them by keeping the cost down 100 or 150 as the case may be, as opposed to a \$500 000 to \$600 000-odd replacement home.

Those savings have been derived into additional upgrades on other homes and the like. We are fairly rigorous in respect of making that assessment now. Properties we thought in the past, and arguably under the old construct, would be knocked over, we are not doing that as readily now. We are assuring that whatever property we are handing back over presents pretty much as a new property, and we have every confidence that the structural integrity is that of a new home.

Mr HIGGINS: My colleague has asked a question—how many public housing properties are currently in Palmerston, and can I get that by suburb?

Mr BAMBER: By suburb would be a stretch, we are going to have to get that to you ...

Mr HIGGINS: I said, 'Can I?'

Mr CHALKER: In Palmerston, as of 31 March 2019, there was 1290 occupied and (inaudible) unoccupied.

Mr HIGGINS: Can we put on notice a breakdown into the suburbs, if we could?

Question on Notice No 5.6

Madam CHAIR: Opposition Leader, can I please ask you to restate the question for the record.

Mr HIGGINS: How many public housing properties, by suburb, are currently located in Palmerston?

Madam CHAIR: Minister, do you accept that question?

Mr McCARTHY: Yes, Madam Chair.

Madam CHAIR: The question being asked by the Opposition Leader of the Minister for Housing has been allocated the number 5.6.

Mr HIGGINS: What has been the cost of public housing properties in Palmerston, and again I ask that by suburb, which I will probably have to put on notice?

Question on Notice No 5.7

Madam CHAIR: Opposition Leader, can you restate that question, please.

Mr HIGGINS: I think they can answer the first bit, but I will put the whole lot on notice. What has been the cost of public housing properties in Palmerston in total, and then by suburb?

Madam CHAIR: Is that the full question?

Mr HIGGINS: Yes.

Madam CHAIR: Minister, do you accept the question?

Mr McCARTHY: Yes, Madam Chair.

Madam CHAIR: The question asked by the Opposition Leader of the Minister for Housing has been allocated the number 5.7.

Question on Notice No 5.8

Mr HIGGINS: I have one more that I will again put on notice. How many new public housing properties have been added to the stock in Palmerston, and again by suburb?

Madam CHAIR: Do you accept that question on notice, minister?

Mr McCARTHY: Yes, Madam Chair.

Madam CHAIR: The question being asked by the Opposition Leader of the minister for Housing has been allocated the number 5.8.

Mr HIGGINS: That is the end of my questions. Over to the Member for Nelson.

Madam CHAIR: I just want to make sure—Output 1.1, do you have any additional questions, Member for Nelson?

Mr WOOD: No, but I was wondering whether we could start the next section?

Madam CHAIR: That would be at the discretion of the shadow minister.

Mr WOOD: Not necessarily—it used to be that a certain amount of time is allotted.

Mr HIGGINS: You want to ask the first questions on 1.2?

Madam CHAIR: That concludes consideration of Output 1.1.

Output 1.2 – Remote Program Delivery Office

Madam CHAIR: The committee will now consider Output 1.2, Remote Program Delivery Office.

Mr HIGGINS: I will allow the Member for Nelson to ask, because I know he will cover a few for me.

Mr WOOD: The issue of replacement houses was just raised. I remember some years ago, Dr Chris Burns and I were at Snake Bay, Milikapiti, and we were looking at exactly the same issue about what houses should be replaced and what houses should be refurbished. Milikapiti had steel houses and Pularumpi had mainly block houses. You could see the difference between the two, that the salt water had got into those houses and some were past a state of being able to be refurbished.

When you are building houses near the coast do you still look at getting away from steel houses? Do you look at only building block houses or very well-galvanised houses in those communities?

Mr McCARTHY: I will start that, Member for Nelson, because that is something I am very interested in and have been learning about from the department of Housing officials. We are definitely exploring innovative designs and that includes innovative product. That is being driven now by remote Territorians. It is not only alternative building materials, it is their full participation in the design, the orientation of the house and the process. That has certainly gained the trust of remote Territorians.

However, I have to agree that if we are building housing on a peninsula with a cross east-west salt breeze 24/7, 365 days a year then we need to consider the block construction. However, that does not mean innovation is not still in the mix—innovative materials as well.

Housing officials have convinced me that that is probably the best outcome for the coastal communities and in terms of local decision-making that we take advice from the community members. Having said that, it is important that we are also looking at different housing mix and different designs.

A quick comment on what you said about the Tiwis—completing the previous national partnership and the construction of dwellings on the Tiwi Islands. Through good local decision-making the local community made a choice to trade off two three-bedroom homes for duplexes that reduced the design to accommodate single people and couples. That was important in terms of the decision around an in-fill strategy as well as the beyond economic repair.

I will hand over to the CEO to put more context around this part of the question.

Mr CHALKER: There is clearly a focus in respect of the engagement with the community. A lot of community members are quite well informed about what will work and what will not work, and they also have quite specific thoughts around those things.

Clearly, as we are very much in the coastal regions we are seeing and hearing that request for those types of properties being out of block. It is important to note that along some of the coastal communities there are some properties that have been fabricated out of other materials in the past that are still withstanding the test of time.

It would be folly to completely and utterly ignore that, but it is not something that we impose on the community. It very much is their decision. As Dwayne's team goes out there and engages with them, provides them with the floor plans and the footprints of the types of homes that we can build—and the discussions around the material and the types of design that are there. We are not in the business of trying to build homes that are not going to survive the test of time.

Mr WOOD: That would also be a problem for outstation houses where ATSIC built them and where I know nearly on the beach and you have the issue now of having to maintain some of those houses, which could be fairly costly.

Mr CHALKER: Indeed.

Mr WOOD: My other question, minister, is related to the issue that you would know about the class action brought against the government from some of the people in Santa Teresa. Can you say what the department's response is to this judgement?

Mr McCARTHY: I will start that and we will get the details about that from the CEO and any other officer he would like to call in.

I inherited this issue when the Labor government came to power in August 2016. Immediately what we did as a government to regain the trust of the residents of Santa Teresa was engage in intensive housing work. We upgraded 90 properties in total and we have engaged now in a pipeline of works for new houses as well as Room to Breathe.

In relation to that case there has been a lot of lessons learned. It needs to be reflected that the previous administration, the previous government in the Northern Territory certainly incurred lots of issues in that case and significantly lost the trust of that community, and we are doing a lot of work to rebuild that.

In terms of any more context around those lessons learned I will hand to the CE.

Mr CHALKER: Thank you, minister. Member for Nelson, it was clearly a case that put forward the legacy issues that were handed to the NT Government and pointing to the earlier conversation from the Leader of the Opposition only goes to further evidence base the clear deficit that was provided for us.

It was also a lesson in identifying that the systems of the past were not as accurate, because when we had to try to find relevant tenancy agreements and the like, they were not ready to hand. That was a legacy of a time probably well before the electronic age truly caught up. And it goes back to the poor quality of records that were handed over to the NT Government from the Australian Government with that transfer. A raft of issues around that.

It is important to note that, it is my understanding, there is an appeal afoot. However, we have established a team to review the findings that have been published for us so far. We are looking closely at some of those findings. It also important to note that out of all the claims laid against us, the number of findings were actually relatively small in comparison with the full suite that were put before. We are keen to explore how we mitigate some of those.

As for the community itself, we have been out on the ground, as the minister touched on. We have done significant work to bring all of those up to speed, and we have a greater focus in respect of our tenancy agreements and how we can make them more streamlined, but more importantly focus on our record keeping and how our system can cope with that.

It is somewhat therapeutic to go through those types of things. As we know, there is always the potential that the poor record keeping can lead to other things. Through this journey it has been more around whether the actual tenancy agreements were legitimate, and the Supreme Court found that they were, in that case.

Then it was the question around the timeliness of the response for repairs and maintenance and the like, and again that is something that the team is very conscious needs to be compliant with the *Residential Tenancies Act*. We are trying to ensure our systems align with that, including the contractors we contract to perform that work.

Mr WOOD: I visited Santa Teresa when the SIHIP program was doing, I think they mainly did upgrades at Santa Teresa from memory. There were other people doing work there as well. I think there were three different programs working on the one house when I was there. There were upgrades.

When that had finished, was there then no more follow up in those areas? What was the reason for the maintenance dropping off? I know it was a new government, but was there no maintenance on those places for a number of years?

Mr CHALKER: No, that was not quite the case. It was a question of how the maintenance was being reported, and the timeliness of the response to have the contractor actually get on the ground and respond to it, and then how the maintenance requests were being classified at the time.

So it was predominantly around responsiveness and whether that caused any impact on the quiet enjoyment of the tenant, as per the *Residential Tenancies Act*. Again, it goes back to the bigger legacy issue of the record keeping; who the actual tenant was, what the true tenant debt was, all those broader questions were part of the difficulty in being able to lay our hands on those answers immediately.

Mr WOOD: Do any other communities have the same issues?

Mr CHALKER: That is something we are looking at and is part of the focus of the team.

Mr WOOD: I was asked to ask this question, so it might be out of left field, but is the department collecting rent on all its remote houses, and is it collecting the full amount? Are figures available which show how many houses are being rented, where the houses are, and how much money is being collected in rent?

Mr CHALKER: Historically, we know that remote rent collection has been somewhat problematic. One of the bigger issues that has always prevailed is what the true debt is, where we have had rent rebates in place and various tenancies linking who pays a percentage for the tenancy, and who is actually truly a current tenant or not, has tended to blur that.

So in the last number of years we have done significant work in our remote rent reform, and that work is currently afoot at the moment where we have been working with various Aboriginal business entities and Aboriginal people, as well as people in the sector, to help model that new future rent framework.

We do have significant remote rent deficits. Being able to articulate what is true debt versus what is on paper, due to the various rebate constructs is quite challenging. The further work that has been under way—and we are now with some interest, keeping an eye on what is occurring in Canberra—was around the automatic Rent Deduction Scheme.

What we have noticed is there is a practice where people sign up for remote tenancies in our properties, go to a direct debit scheme, and within a week or so cease that direct debit and automatically commence going into remote debt recovery.

With 5000-odd properties spread across those 73 remote communities being able to get into that community and speak to those tenants in real time, does prove a logistical challenge. We are hoping the remote rent reform, which will be considered by Cabinet before we ultimately implement it, will go some way in making that more fair and equitable, but also give us a better vision on what that will require as far as potentially, the elimination of rental rebates, for example, but a better and more favourable spread across the family and who would identify as the head tenant.

If we can get that to come to bear, what we will then trigger is new tenancy agreements with each individual location—which, from our record keeping, will be a positive step forward because with our electronic systems, we will be able to articulate that tenancy as being current and relevant to that agreement—who those tenants are at this point in time—and also start being able to have a greater oversight of when debt recovery starts.

Mr WOOD: Looking from an outcomes point of view, is it possible to say we have 5000 houses—you would expect as an outcome you would receive X amount of rent per year—are you able to say how much rent you actually receive so you are able to see what the shortfall is. From a budgeting point of view, you want to receive the full rent to build more or maintain more houses. Is there any figures that show received rent versus what should be received?

Mr McCARTHY: The exploration of that, Member for Nelson—it is important to note, rebate of rent.

Mr HIGGINS: Can you explain the rebated rent for us, minister?

Mr McCARTHY: Thank you, Leader of the Opposition, I am sure one of our officials would explain it far better than me.

Mr BAMBER: The rebate is, we put an upper limit on how much we charge in total for a house, depending what the market rent is, in remote communities. The upper limit is \$230 per week.

Mr HIGGINS: Is that for a three bedroom house?

Mr BAMBER: Yes. What we do is look at all the tenants signed on. There can be up to 81 Centrelink rebates available where there is no income. We have to assess each tenant who is signed up.

Mr HIGGINS: Eighty-one?

Mr BAMBER: Up to 81 Centrelink classifications. This is the complexity that Mr Chalker referred to with the current remote rent approach. We are working with APONT and other advocates, including NAAJA, with regard to what is a better way of setting up a remote rent methodology. We are engaging with them now.

There is an upper limit we charge, but we are aiming not to charge more than 25% of assessable income. That is where the rebate applies, you do not want to cause rental stress. It is done on a case-by-case basis.

Mr HIGGINS: So those 81 are Centrelink ...

Mr BAMBER: Centrelink welfare classifications.

Mr HIGGINS: Okay, and we try not to take 25% of the Centrelink payments?

Mr BAMBER: No, of the total assessable income. No more than 25% is what we will charge. We are basically rebating down, so that we are not putting rental stress.

Mr HIGGINS: Where there are multiple people on the lease, surely all of them are going to have possibly different—of those 81.

Mr BAMBER: That is why it is so complex.

Mr HIGGINS: What is the maximum number of people we allow on a lease? Is there a maximum number? What are the numbers that we have at the moment?

Mr BAMBER: I do not think there is a maximum number.

Mr HIGGINS: What is the highest number we have at the moment?

Mr BAMBER: I do not have that.

Mr HIGGINS: I will not put that on notice, but if someone can go and find that out for us and come back, that would be interesting.

Mr CHALKER: The rent collected for the 2018–19 financial year was \$4.836m. To give you an example of the difficulties of being able to predict what the deficit is, when we talk about the full rent average being about \$230 per week, the average rebated rent is around \$122. As we touch on, it gets quite difficult, particularly when you are talking about the various Commonwealth classifications—family benefits, disability allowance and so on. Hence, the reason we are going on the deep dive for the remote rent reform to try to simplify that and, importantly for our tenants, make it a far simpler methodology for them to understand as well.

Mr WOOD: Thank you.

Mr BAMBER: Part of the reason for the Santa Teresa upgrades—you would have seen them happening in SIHIP. A negotiation was occurring between the Commonwealth Government and the Santa Teresa community, so that lease was not signed until 15 September, at which point the federal government said that we could now do upgrades and new builds et cetera. That also addressed some of the gap.

Mr WOOD: I have a question on leases. Minister, it was mentioned before but I did not ask a question about it. Could you please explain what non-lease communities are? Your annual report says you have 79 properties which received upgrades on non-lease communities.

Mr McCARTHY: I will start that and, once again, get the department to put the context around it. Out of the 73 communities, there were still seven communities that did not finalise a negotiation over land tenure in terms of the original national partnership agreement. That was another legacy item that I inherited. I am pleased to say that we have done significant support work around those as we continue to negotiate appropriate land tenure around those seven communities. If one of our officials would like to put some more context around that ...

Mr McINNES: No-lease communities are really a hangover of the former National Partnership Agreement on Remote Indigenous Housing. Prior to any major works being undertaken in communities there was a requirement to have a lease in place. Negotiations have been ongoing for some time with six of the seven communities, but we have not yet been able to land the leases there.

Initially the Commonwealth take a head lease and we would take a sublease over those communities. That situation has now changed. We are in discussion with both land councils about resolving the lease arrangements in those communities. We have written to the CLC to progress discussions in a number of

communities there so we can progress major works in those communities and with the NLC for some of the communities in the north that do not have leasing in place.

That will allow us to undertake the major investment in those communities. Having said that, though, we have still undertaken the urgent repairs and maintenance required to make sure tenants are safe and living in safe conditions.

More recently we took a major investment in Haasts Bluff, which is one of those communities. That is more investment than what you would normally undertake for emergency repairs. Those discussions are under way. We hope to resolve those pretty soon to allow us to progress significant investment.

Mr BAMBER: If I could speak to Haasts Bluff, as an example, it was a Commonwealth requirement that no investment would occur unless a lease had been signed. It did have a clause that said if there is OHS work to be done on a house in a non-lease community, you could do that. We invoked that caused and executed a number of upgrades on an OHS basis.

Mr CHALKER: Member for Nelson, I had a random highlight over that figure I gave you. The actual rent collected for this financial year is \$19.053m, not \$4m. My apologies.

Mr WOOD: That is a fair difference. I will probably get onto leases later, but I am interested in the legality of leases. Minister, can you tell us how long on average it takes to sign the leases for new houses to be built on communities? How long are the leases for and it may not be a simple question, but is there a payment for leases for public housing?

Mr McINNES: There is no payment for leases on public housing. We make payments for leases on government infrastructure, so for example reticulated infrastructure, there is a lease payment on the leases negotiated over that and there is also payments over government employee housing. In terms of public housing, there has not been. The lease terms are varied.

We have just finished the finalisation of the recent national partnership agreement. That saw us sign up to 44 leases. There are essentially 44 leases that will expire 30 June 2023 and then there are some other communities, 19 or 20 other communities, that have varying lease arrangements. Some of them have a 40-plus-40-year lease arrangement, some are 99 and in the case of the Tennant Creek town camps we got a 20-plus-20-year lease arrangement in place. There are varying ones.

Mr WOOD: Minister, in relation to town camps—I call them town communities—has the government looked at the option of residents buying their own homes in the town camps? What issues would have to be worked through before this could happen? I think it was in the review that that option should be available.

I know that the Member for Namatjira when I was looking at that said it would not necessarily work in Alice Springs but it could possibly work in the Darwin area. Has any work been done on the possibility? Yilli Rreung, in my area, has done a fantastic job in cleaning up those communities and they look 100% on what they were. All the houses have good solid fences around them now. You would think now is there an opportunity there for people to say, 'I have an area that is fenced and a house here. Is the option for me to purchase that house?'

Mr McCARTHY: It is a good example of Yilli Rreung. In regard to policy perspective that I am driving as part of the Northern Territory Labor government, it is about community housing models. The town camps, or the community living areas, across the Northern Territory fit this model perfectly in terms of the interim approach we could be looking at within five years to succeed Alice Springs, for instance, with the town camps.

From that point then, you would talk about land tenure and your aspirational home ownership. At this stage, to get the infrastructure right, the housing right and the community right, the community housing model is where I am taking the department, and that is policy perspective.

Mr WOOD: What worries me, minister, is that Mr Chalker gave us a figure—about 4500 houses would be required to overcome overcrowding. We know that some groups receive royalties and some people earn reasonable incomes. I am worried that people will get used to the idea that the only person who is going to provide a house for them is the government. It does not happen anywhere else in Australia.

I feel that we need to make a bigger effort to give people the option. You mentioned private houses. There is only one house on the Tiwi Islands that is a private house. I lived there for quite a while. You would think

we could do better than that over there. I am concerned that there is too much of a reliance on government housing and we need to make a bigger effort in allowing people to purchase their own house.

Obviously there would be some complicated issues about land rights and leases. Do you think we should be making a bigger effort in that direction?

Mr McCARTHY: Taking that on board, Member for Nelson, there are a lot more variables in the discussion around delivering that aspect of private home ownership. Acknowledging that Yilli Rreung has just recently accredited as a community housing provider and acknowledging the Central Australian Affordable Housing Company.

It was really good to learn about the Central Australian Affordable Housing Company and its Homelessness Innovation Fund grant program, where they are actually targeting residents of Alice Springs who are most often on our public housing waiting list and supporting them in private accommodation. They are actually providing administrative support—wellbeing—and wrapping around a support service to make sure it is sustainable. This is a good program from the government and a great outcome for residents who are choosing to take that step. Of course, once you take that step, the next step is home ownership.

Wherever we look in this period in history, whether it is the Tiwi Islands or wherever, if I were living in a remote community—now I live in Tennant Creek and I can quote you some figures on Tennant Creek—but if I was living in a remote community and I owned my own home and had to replace the hot water service, it would be cost-prohibitive for me. If I lived in Hermannsburg, it would be a little more achievable. If I lived further remote—if I lived on the Tiwi Islands—in this period in history, that sort of home maintenance, upkeep and upgrade is cost-prohibitive for residents.

Consequently the policy perspective of the Labor government is for community housing models. This is essentially looking at taking the traditional fly-in fly-out model and having that converted into a communal model where the labour, resources and work is conducted within the community. To achieve this in terms of economies, we are looking at clusters. On this you will see some developments this year. You will see some developments on country you know on the west coast at Wadeye.

When we get a geographic location, a cluster of communities that are conducting all the businesses of the housing sector—the tenancy and property management, the repairs and maintenance, five-year programs of Room to Breathe extensions and innovations, new constructions—then we have real economy. The Chief Minister talks about picking up the phone in Wadeye, whether you are at the church, hospital or school or whether you are a public housing tenant—who will be a community housing tenant—the plumber or electrician comes from Wadeye.

When we can achieve that in a Northern Territory context, then there will be the efficiencies and the cost relativities of home ownership. Until we get there, there are significant barriers for people. I am very interested in that resident on the Tiwi Islands and the chief is taking us there on a community Cabinet after estimates. I am very interested to sit down, be introduced by the local member, and talk about this exact challenge.

Mr WOOD: I would be interested if it was one of those Chinese houses that was introduced. Minister, just quickly—the Member for Namatjira might be able to help me here—but you talked about remote communities and the difficulties servicing hot water. The Desert Knowledge Park—there was also a group that used to have technology for remote housing. I am not sure of the name of it now, I used to get their magazine, and I do not know whether they still exist.

Mr McCARTHY: The CAT, the Centre of Appropriate Technology.

Mr WOOD: You talked about a hot water system, but have we tried to include in our remote housing some simpler technology, like what they put forward, rather than sort of saying, 'This is what you do in Darwin, so you put one out there'. They might have the answer to some of the issues you have, which is a low maintenance way to produce hot water that might not require a plumber to come out, they can basically fix it themselves.

Mr McCARTHY: Member for Nelson, we are going to challenge Hansard here, but I tell you what, we are not installing donkeys on remote Indigenous public housing. I lived with donkeys on the Nicholson River on three outstations where my family lived. It was a great way to convert water—converted from CAT out of 100 pound gas bottles. That is great innovative technology; however, we are building homes in the bush. Those homes are using solar hot water technology and new heat pump electric hot water systems. Those homes are providing the amenity of any other home in Australia.

I was going to save this, but I will table it. The department has produced two very concise, succinct documents—very pictorial ones with great graphic illustrations of some aspects of what is happening in the bush and in town camps across the Northern Territory. We have produced a copy of each of the committee members.

Mr WOOD: The Opposition Leader will like the pictures.

Mr HIGGINS: Yes.

Mr McCARTHY: The pictures are great, but it also reinforces what I am talking about, that we are building homes in the bush.

Mr PAECH: Can I follow on from the Member for Nelson? I understand you are talking about the potential to have local decision-making agreements in regard to the housing tenancy and maintenance developed by the end of this year. Is that correct?

Mr McCARTHY: We have four in our cluster models which we hope to sign off by the end of this year. But in a policy perspective we are heading across the Northern Territory in growing this initiative on the community housing model.

Mr PAECH: I want to be clear that you could have at least four by the end of the year executed. Is that tenancy management or just repairs and maintenance?

Mr BAMBER: Integrated property and tenancy management contracts. The other construct that Dwayne has brought about is an overarching remote contracting framework agreement where you can have a five-year agreement with an organisation like Dhimurru Corporation in Wadeye. What you then program in under the overarching contract framework agreement is five years of Room to Breathe works, five years of HomeBuild works, five years of property maintenance and five years of tenancy management all under one contract.

Under that contract you have commitment from us that we will work with that organisation and provide ongoing support, but there is also an expectation arising from that contract that we want to see increasing local capability. Five years is enough time to turn out trainees, apprentices and tradies in the community.

A longer-term agreement like that with those schedules under it means you now have an organisation in a community which has all that work. They might work with a mainstream to supplement skills they do not have, but we would like to see them develop their own skills—plumber, electrician et cetera—in the bigger communities.

Mr PAECH: How would that affect a legal perspective that we have already locked into some contracts with external providers delivering those types of services?

Mr McCARTHY: That is a great question. We probably need to walk you through the chronology of how this policy will change service delivery.

Mr CHALKER: Within the terms of agreement we have variations that can occur with contracts, but we are not in the process of setting people up to fail. Equally, we are quite up front about the fact we take community development very seriously. It is clearly in our agency name—using the remote housing program as a clear impetus of how we can start driving some of that coming up.

As we move into firming up the longer-term property and tenancy management contracts, those have been extended again because of the delays in the national partnership agreement and getting finalisation on that. That is now giving us a 12- to 18-month window of extensions—knowing where there is some local capacity and capability and allowing the opportunity for those discussions to occur, which will identify their current capacity and capability versus their aspiration. This allows them to move in step at a reasonable time and pace that is suitable to them.

We can then align supportive elements of the broader package to other areas, whether they are locally based or it is to an open tender process. We acknowledge that there is an overarching move towards community control, development and ownership.

Irrespective of whether it is through the heads of agreement model or another provider, the significant focus on local Aboriginal employment will be omnipresent.

Mr PAECH: I have two questions in regard to town camps. The land tenure issues are because each town camp is considered one parcel or one allotment, is that correct?

Mr CHALKER: The challenge with town camps is we cannot generalise how the case for Alice Springs is different for the case of others.

Mr PAECH: In the position of my area, Central Australia, most town camps are consolidated on one allotment.

Mr CHALKER: Correct and they are ultimately leases that are held actually by the executive director of township leasing on behalf of the Commonwealth Government. Notably, an interesting part of the national partnership agreement, which we all agreed to, is to look at a review of leasing. That is going to involve the four land councils as well as the Commonwealth and the NT Government, which goes also to the Member for Nelson's point.

We are trying to look for what will that future state be. As the minister talked about, the current policy framework is very clear. As we move towards the community housing provision, community ownership and the like that will then set a very solid foundation for a choice of community, particularly as their economic opportunities grow—what they want to do with that land, whether it becomes commercially available and so on and so forth. The current leasing environment does not necessarily make that easy at this point in time.

Mr PAECH: The Opposition Leader and the Member for Nelson have made comment on the deficit in town camps that is needed to overcome the level of disadvantage. I take in to account that the budget appropriates money for the town camps. Can you step us through what that commitment is setting out to achieve, given that the overall request is \$77m, the money that we are putting aside, what is set aside to immediately remedy?

Mr McCARTHY: Good questions, Member for Namatjira. I will start and the officials can put more context around it.

It is a real credit to the Labor government to appropriate \$35.5m to start this process. It was good analysis by the department to advise government that because in Alice Springs and Tennant Creek town camps had received some significant work under the Commonwealth investment, we concentrated the effort on the Top End with the first spend.

That spend related to looking at housing. Some of those pictures in the production from the department will give you an indication—and the Member for Nelson acknowledged some of the incredible work Yilli Rreung has done with the residents, improving the amenity of houses and the living conditions in those town camps.

However, what you have said is entirely correct. If you look at *Living on the edge*, the town camps review, you will see it really is infrastructure and land tenure that are the two new milestones. To achieve that we are going to need significant investment. I will get the officials to put more context around that for you, Member for Namatjira.

Mr McINNES: As you would be aware, there is \$35m currently committed towards the town camps and that is primarily aimed at looking at the emergency items that need to be fixed. That includes the condition of existing houses and some of the latent issues that we have with the infrastructure within town camps.

There has been significant work undertaken to date. We have a breakdown, which I am quite happy to table with the permission of the minister. It shows the work that has been undertaken in each community and by whom it has been undertaken.

Of the \$35m we have actually committed \$24.9m and expended \$18.5m. In addition to that we have developed a five-year investment plan for each of the individual town camps. Some of that has to be revisited because some of it is up for discussion with the Commonwealth, but we have been able to identify a further \$29m for next year's budget, for 2019–20, to be able to roll out more infrastructure in town camps.

Most of the existing investment has been targeted at the Darwin and surrounding town camps. The 2019–20 is focusing on Borroloola. As you would be aware there is significant water issues and water quality issues in Borroloola, so we are already targeting investment in Borroloola. A tender recently got awarded to take a pipe over the bridge in to the town camps. The next stage of that is we have a number of infrastructure assessments under way around the infrastructure in Borroloola. That will also be under way next year.

It is a five-year plan. The ones that have already had significant investment, such as Alice Springs and Tennant Creek, will not see a lot of investment over the next couple of years other than their normal MES funding and the housing maintenance et cetera. That will get investment towards the end of the year.

Given that the Office of Township Leasing holds the leases in the Alice Springs town camps, it is a discussion we need to have with them about prioritising investment and as part of the local decision-making process with Tangentyere and CAAHC et cetera.

Madam CHAIR: Thank you, Mr McInnes. Minister, are you happy to table that document?

Mr McCARTHY: Yes, Madam Chair.

Madam CHAIR: Thank you. The time now being 6.05 pm, I am conscious that we need a dinner break for 30 minutes, so we will be back here at 6.35 pm.

The committee suspended.

Madam CHAIR: We will pick up where we left off.

Mr HIGGINS: How many new houses—and in how many remote communities—do we expect to deliver in the next 12 months? So that is new houses.

Mr McINNES: We expect to deliver 176 new houses, 42 of those being replacements that we have identified as part of our scoping in communities.

Mr HIGGINS: That means we will have 134 new ones and 42 replacements, so we are going to increase the stock by 500.

Mr BAMBER: Correct.

Mr HIGGINS: The minister has been saying we have built or upgraded more than 1400 houses, but in Budget Paper No 3, on page 143, we talk about constructing 70 new remote dwellings and replacements—we did six. So that is 76. How did we come up with the other 1400? I suppose they are actually refurbished, because the terminology used by the minister is 'built and upgraded'.

Mr McCARTHY: That is a good question, Opposition Leader. Thank you for that. When I got into the saddle, I said the department, 'Let us benchmark off 2016 when we came to government'. As you know, we inherited the NPARIH and the last couple of years of the national partnership agreement. We were recognised by the Commonwealth as an agency that was doing a good job and we had an extension of the national partnership agreement. We are continuing to build. My figures are from when the Labor government took power in 2016.

Mr HIGGINS: So that is a figure from 2016.

Mr McCARTHY: August 2016.

Mr HIGGINS: Okie doke. We talk about new builds and then upgrades; what is the split of that 1400? Do we have that figure? New and upgrades or replacements—if I can separate those out? I am trying to get a feel for additional housing stock.

Mr McINNES: Since September 2016 we have built—this is as at 31 March—278 remote houses under the national partnership agreement. We have also built an additional 18 houses under the employment education housing program under the same agreement. Then we have built an additional 33 government employee housing dwellings. Under HomeBuild NT we have completed 30 to date. Do you want me to read out the refurbishments and upgrades after that?

Mr HIGGINS: No. that is about 350-odd there. We have about 100 that have been upgraded. Can we have a breakdown of that 1000 upgrades into some sort of category as to the cost and the range of the cost? The question would be what is the minimum amount of money we would have spent on a house to have classified

it as an upgrade as opposed to general maintenance. What is the minimum we would have outlaid for a house to have an upgrade, and up to what maximum in that 1000?

Mr McINNES: We do not have that information here, but what I can say is that we do not have a minimum because the upgrades depend on the condition of every individual house.

Mr HIGGINS: I am after—in that 1000 houses, when you say you do not have a minimum, that is fine, but in that 1000 houses what has been the minimum amount we have spent on a house to have it added into that 1000? Was it \$10 or \$10 000?

Mr McINNES: It would be more. We can get that information for you, but I do not have it here. For an upgrade it would not be \$10 or \$20. It is certainly a significant investment. To increase the life of the asset is what we are looking at. If we do an upgrade that increases the liveability and life of the assets, that would be classed as an upgrade.

Mr McCARTHY: Just to add to that, when I came to this job we had lengthy discussions around that principle of leaving a considerably improved amenity, to raise the amenity and opportunities for the tenant and form a good tenancy agreement with them to maintain that asset and the good, healthy home concept. Painting, for instance, was something that we took on board as a mandate in our upgrade program. The wet areas, amenities around the house, supporting infrastructure. Each of these upgrades has been significant.

Mr HIGGINS: I am trying to get a feel for that 1000. When we classify them as an upgrade, what might that entail? I am trying to get a feel for how much money we spend on those upgrades.

What I would like is something that says the minimum we spend on these houses with an upgrade and the maximum, and then a breakdown into some sort of range. Say, into three different slots.

Mr CHALKER: Leader of the Opposition, when I came into the agency following one of the remote visits, it was clear to me that the approach of the upgrades under the Commonwealth parameters were not true value for money.

The reason I say that is that there would be various iterations of the cap that was being applied to what an upgrade was. At one point I believe it was up to \$110 000, then the Commonwealth decreed that back down to \$80 000. We were finding that properties were being scoped, they were going above scope and had to then be scoped back to meet the \$80 000.

For me, that is complete and utter nonsense, because you have ultimately already spent significant money to mobilise the trades to that place, then you are capping them when you know they are going to have to come back far sooner than if we had stayed there and done a complete upgrade. That then brought the conversation into the value argument between whether it was worthy to be an upgrade or whether it should have been considered for replacement. That is where we are currently at.

Over the life of the program, if that is what you are trying to refer to, that has not differentiated over the whole term of the national partnership agreement, but in the last number of years we have made that change so we are getting true value out of that.

The large proportion of upgrades, if we are going in to do those works, would be in the multiple tens of thousands of dollars; it would not be less. Under that would invariably be picked up by our normal repairs and maintenance costs through our inspection process and the like.

Mr HIGGINS: That is what I am trying to get. I am trying to get a feel for what the costs are when we do these upgrades. If someone did some budgeting on what we are going to spend on upgrades, how do we work out what that cost is?

I am trying to say, you must have some idea on how much those 1000 houses cost us and what categories they are in. If we are looking forward—out of 1000 houses, 20% of them will be below \$50 000, so 50% are going to be in this range, and the rest will be over it.

Mr CHALKER: That is the point I am trying to make, to get you in that space. We had a financial cap provided through the funding agreement. We exceeded that cap for the number of upgrades.

Mr HIGGINS: I am not worried whether you did or did not. I want to get a feel of how much these have cost us. I do not want to know about the limits that might have been set by the Commonwealth. As you said, they

were a waste of time. That is fine, I am not looking at that. I just want to be able to split those 1000 houses into, say, three groups. Do you know what I mean?

Mr CHALKER: Yes. We will need to retrospectively go back to be able to give you an average. If you are happy with an average of what an upgrade costs.

Mr HIGGINS: I would like it to be split into, say, three categories. I have just picked three.

Mr CHALKER: Yes, so a medium?

Mr HIGGINS: Yes, and a range of that.

Question on Notice No 5.9

Madam CHAIR: Could you state the question more succinctly please, Opposition Leader.

Mr HIGGINS: Could I get a breakdown into three cross ranges, for the 1000 houses that were upgraded since August 2016? The range would be from the minimum to the maximum, and if we can split that into, say, three equal categories?

Madam CHAIR: Are you happy with that question, minister?

Mr McCARTHY: Yes.

Madam CHAIR: The question asked by the Opposition Leader of the minister for Housing has been allocated the number 5.9.

Mr HIGGINS: Under the remote housing investment package, 40% of the contracts were awarded to Aboriginal businesses. Can we get a list of the businesses awarded those contracts, and for which projects?

Mr McINNES: Opposition Leader, we can get that information for you. Currently we have awarded 42% of the contracts, as at the end of March, to Aboriginal business enterprises, and I believe the value of those contracts is around the \$30m mark.

Question on Notice No 5.10

Madam CHAIR: Opposition Leader, can you repeat the question for the record.

Mr HIGGINS: Can I have a list of those business enterprises that have been awarded those contracts and for which projects?

Madam CHAIR: Thank you. Minister, do you accept the question?

Mr McCARTHY: Yes, Madam Chair.

Madam CHAIR: The question asked by the Opposition Leader of the minister has been allocated the number 5.10.

Madam CHAIR: Are there any further questions on Output 1.2?

Mr HIGGINS: How many staff are in the Remote Program Delivery Office?

Mr McINNES: Opposition Leader, I believe that is currently around 51. We can confirm that number for you.

Mr HIGGINS: No, that is alright. What is the operational cost of that office, roughly, excluding what they outlay for—just the operational cost?

Mr McINNES: The operational cost on average is \$7m per annum. That is not just staffing, obviously, that is other things that we do in terms of consultancy, planning and all those sorts of things.

Mr HIGGINS: Under the local decision-making—following the process we have for local decision-making—how many new houses have we got out of that in remote areas?

Mr McINNES: As part of the local decision-making process we have completed consultation on a total of 207 dwellings.

Mr HIGGINS: So how many have we actually built at this point?

Mr McINNES: Of that, we have built 30; 40 are under construction; 53 tenders have gone out and the remaining are in various stages of procurement now so they are being handed over to the Department of Infrastructure, Planning and Logistics to process the procurement side of those.

Mr HIGGINS: So, have we got a breakdown of which communities they would be in? If we have not, I will move on.

Mr McINNES: Yes, we do. Opposition Leader, we have some updated numbers as at 30 April that we can provide. Of those, we have 32 complete, 57 under way and 181 handed over for procurement. Of that, I will get the number that is currently out to tender. I can get you an updated number for that. I have the communities listed. That consultation has been completed now for 218.

Mr HIGGINS: Would you be able to table those completed ones? We do not need to read them out but just make sure the minister is happy with what is on that document.

Madam CHAIR: Minister, are you happy for that to be tabled?

Mr McCARTHY: Yes.

Madam CHAIR: Are there any further questions on Output 1.2?

Mr HIGGINS: I mentioned earlier, subdivisions. What are the time frames for delivering subdivisions for Pirlangimpi, Hermannsburg, Yirrkala, Ramingining, Beswick, Gunbalanya, Wadeye, Maningrida and Galiwinku?

Mr McCARTHY: In the program we are talking about, the Northern Territory Government is committed to improving housing in remote communities by investing \$1.1bn over 10 years for the remote housing investments package, Our Community, Our Future, Our Homes. The Northern Territory Government has committed \$426m over eight years for land servicing and infrastructure works to ensure that there are sufficient service lots to support the delivery of new houses.

It is expected that in excess of 1000 lots in addition to the necessary upgrades to infrastructure will be created over the life of the program—\$66.2m was provided in 2018 to commence works; \$34.2m will revote in 2019–20 reflecting the timing of works and will be supplemented by an additional \$27.6m in 2019–20.

The new investment will turn off around 450 serviced housing lots across remote communities by the end of 2019–20. There are a total of 154 lots under way as at 31 March 2019, including 70 subdivision lots and 84 infill lots. There have been 95 lots completed as at 31 March 2019, including 48 subdivision lots at Ngukurr and Lake Evella and 47 infill lots.

Subdivision construction is well progressed on 118 lots in Maningrida, Wadeye, Galiwinku, Lake Evella and Ngukurr. It is anticipated that these lots will be ready for construction of new housing in 2019–20. There have been delays in securing leases at Gunbalanya, Beswick, Yirrkala and Ramingining. In early 2019 the Northern Land Council indicated that traditional owners would approve leases in all locations, excluding Ramingining, where consultation is expected to be undertaken in 2019. The Hermannsburg subdivision construction tender closed at the end of March 2019 and was awarded in May. Pirlangimpi subdivision is expected to be advertised in June 2019.

Mr HIGGINS: There were a lot of figures in there. I heard in there that we were going to have 1000 extra. I presume that is lots, if I heard correctly, that will be spare at the end of the program?

Mr McCARTHY: They are created over the life of the program.

Mr WOOD: Who designs the subdivisions?

Mr McINNIS: Member for Nelson, the subdivisions go through some vigorous consultation with communities and land councils to determine where and when they should be built. We do not start the design works until we actually have approval for the locations. Then we undertake a design process in that location at the same time, negotiating the lease arrangements over the subdivisions.

Mr WOOD: I probably should have asked, who does the design process?

Mr McINNIS: It varies. DIPL does most of our subdivisions and we get consultants on board to do the design works, people who are experienced in doing subdivisions.

Mr WOOD: They charge you, I presume, a percentage for doing that for you? DIPL take 10% out of the system for their own benefit?

Mr McINNIS: No, DIPL do not take 10% out of that, that is quite high, Member for Nelson. We do have to pay the consultancies to produce the design documentation, yes.

Mr WOOD: I will not get too specific, but I get people come into my office at times and say, 'Some of the design work is over the top, extremely expensive and a waste of money'. I always wonder if someone who is completely separate from the government can wander in there and say, 'What the heck are you putting umpteen miles of concrete down there for?', or, 'Why are you building a drain this way?'

These are normal people who come to see me. They like the work they do. They come to me and say that money is being wasted on overdesign. Someone said, 'I could have done this this way, but I was told I had to do it this way'. I sometimes wonder if there is somebody out there who can double check whether all of those designs are not over designed.

Mr McINNIS: There is a quality process over the top of that. Learning from past experience, we need to make sure we have subdivisions designed to the appropriate standard and to plan for future growth. We have already had to go back and revisit a subdivision in Maningrida where the designs were not up to scratch for various reasons.

I think when we are doing these subdivisions, they need to be of a good standard and to be factoring in an element of future growth, which we are factoring in for the most overcrowded communities. There is a quality process and it is reviewed. There will be differing views out there about the cost, the same with the housing—the cost of the house is too high.

Mr WOOD: I thought I would mention that because you would like to do the job for a moderate amount of money, obviously expensive in those communities. If you have money left over you can put it into housing.

Mr MCINNES: We are finding that in a lot of communities, there are some latent issues that we have to fix and that comes at a cost. There are uniform design guidelines around some divisions in remote communities, as there is in any urban area.

Mr WOOD: Do they have a two-year maintenance contract? I presume the local council will take those roads over.

Mr McINNIS: Do you mean there is a defects liability period?

Mr WOOD: Yes.

Mr McINNIS: Yes, there is a defects period built into the contracts.

Mr WOOD: At what stage does it get handed over to the council?

Mr CHALKER: The regional councils will take it over once they have done their assessment and it meets their expectations. The point Dwayne is making is that historically we know there is plenty of subdivisions that have been turned on that were not done correctly.

There are a number of communities that the minister and I have visited, for example, where houses are lower than roads—and inundation of water and so on. We are trying to create drainage and spoon drains to mitigate

those issues because having the assets inundated in water is not a great thing, nor is it healthy for tenants. We have a good collaboration with our local government sector—obviously they sit within the bailiwick of our agency, so that is helpful.

As we go through the process we are doing a lot more engagement, particularly with the land councils and the regional councils, in respect to the works that will be undertaken. There is a whole other raft of issues that come to bear. I should add that, particularly with the advance of drone technology, there is more information available that assists with designs which tracks where water pools, where it runs away and so on—it is quite significant advancement.

Mr WOOD: On the subdivision that has been designed within the lease area—water leaves that lease area, and other requirements to have a lease over a drainage area or the traditional owners allow the water to run off that lease without any issues ...

Mr McINNIS: No, Member for Nelson, all the environmental impacts have to be considered when doing the new subdivisions.

Mr WOOD: If the water leaves the lease, in the municipal council you would need a drainage reserve or a drainage easement. Do you need those and are they part of the leasing arrangement when you are working out the whole subdivision lease? Water might run into the nearby creek but to get to the creek it has to run through a drain, and that drain ...

Mr MCINNES: The subdivision covers the lease area, but any reticulated infrastructure to link subdivisions, or to go to potentially sewer ponds, is covered by leases.

Mr HIGGINS: Are we imposing the same standard on those subdivisions as we do in Darwin, I specifically refer to curb and gutter et cetera—a lot of communities do not have that at the moment, so I am trying to get a feel on the new sub divisions.

Mr McINNIS: Opposition Leader, as you are aware, there are some subdivisions that occurred under SIHIP which do not have those provisions. We are allowing for footpaths and curbing.

Mr HIGGINS: What is the fencing program which has \$650 000 in Budget Paper No 4, on page 30?

Mr McCARTHY: While we are getting those details, Opposition Leader, I took on the debate regarding clipped fences versus laced fences. In the bush we had always built laced fences. I took the department's advice on the fencing we are providing around the new dwellings, which is clipped fencing. The reason for that is that if you break the laced fence, then the whole panel comes down. If you break a clip, there is a good chance it will not all come down and it can be repaired accordingly.

That is another debate that goes on in-house regarding infrastructure in town and in the bush.

Mr HIGGINS: I think fencing is important, because I have noticed when out in a community that if you do not have fences around a property, you have problems where people drive all the way up to the porch and there is dirt et cetera, even to the extent where I have seen places where there are rocks in a square and grass. People set their boundaries. I support a fence program, so I want to know ...

Mr WOOD: And for the dogs.

Mr HIGGINS: Keep the dogs in and out as well.

Mr CHALKER: Fencing is a key part of what we are delivering with the new build program. Equal to that, we are also looking to make sure driveways, cement pads under external taps and the like, accessibility to the front and rear door all have an appropriate pathway. The history of previous programs is that there has been the house presented in the middle of a block with a dirt driveway, access and egress all with natural elements and no differentiation.

It has either been delivering high-quality homes and just touching on the subdivision—if you have the opportunity to get to Gapuwiyak, you will see that the works that have been done there are to a town standard, and the brand-new homes on Rainbow Street are a testament to all those questions you are asking.

Mr McINNES: The fencing program you referred to in BP4 is the remnants of the fencing program that had been running for a few years. There is still a bit leftover. We still have to do Nauiyu and finish the fencing

program there. That is almost the end of the program, but we are picking up other fencing—I think it is around \$1m. We have awarded contracts for \$1m worth of fencing across communities. We are progressing fencing works outside the Commonwealth program as well.

Mr HIGGINS: Are we saying all the new houses should be fenced? What about grass? I noticed at Wadeye there were some houses built by different companies, so I do not know if they are under different programs. The camp on the other side of the airport had some buildings and some of those had grass that was planted, which I think was done by TDC. There were some other contractors there and there was no grass. Presumably they are under different arrangements.

Mr McCARTHY: It is good, as a bush member, to get around your electorate and see the improvement in landscaping and amenity that residents are doing on their houses. Looking at a subdivision at Galiwinku that was constructed under my previous role in government—the curb, gutter, road and fencing and housing amenity, with incredible gardens emerging with fruit trees.

Some houses I looked at there had four different varieties of subtropical fruits growing. There were houses with lawns and a good concept of dust suppression. There were other tenants clearly struggling. It is nice, as a minister, to visit these sites as they grow and see the critical mass of improved infrastructure that supports better health, education and social justice outcomes we strive for.

In other areas that are more challenging climatically, I have seen some great results. But it is tenants then taking responsibility for the yard. The department runs a good program called the Pride in Your Place Award. I have been fortunate enough to present some of these awards. You are welcome to present some, too, if we get some nominations in the electorate of Daly.

That rewards tenants for taking that pride of place in their home and doing a bit extra around the garden or on the lawn. It is a good program and gets some great responses across the Northern Territory, from the desert to the sea.

Mr HIGGINS: Last year you said we would get 23 new government employment homes in remote communities. I heard someone say there were 33 since 2016. How many of those 23 did we complete last year?

Mr McCARTHY: If you want to refer back to the document that was tabled there, you will see the breakdown of the different sections of both the Commonwealth programs and ours. In terms of further context, Dwayne, do you answer that?

Mr CHALKER: Just a point of clarity—if the 33 you referred to was the employment and education housing that is separate to our government employee housing. That was an element of the Commonwealth commitment—so, with the actual government employee housing under our program, Dwayne has those numbers.

Mr HIGGINS: I think you said 278 remote, 18 education and employment and 33 government for the new houses. I am just trying to get a figure on last year against that 23.

Mr McINNES: Opposition Leader, we have completed four so far this year. In addition to that we have three dwellings in Alpururulam, which are expected for completion in 2019–20. In Borroloola in April 2019 we expected to complete another two. In Elliott we are expecting to complete 10 in 2019–20. In Engawala we are expecting to complete two in June of this year. In Lajamanu we are expecting completion in 2019–20. In Mataranka another two are expected for completion in 2019–20. In Nganmarriyanga we have completed one but have another one which we expect to complete soon. In Numbulwar there are four. We expect to complete those in 2019–20 as well.

Mr HIGGINS: So we tried to get 23 done last year—that was the answer we got last year. We have managed to get four. Why do we have a flow up? Is that something to do with subdivisions? Why did we fall short of that 23?

Mr McINNES: We have done significant planning in Elliott, which is 10 of those. We hope to get that out soon. It is just a delay in the design and procurement process. Of those that we expect to complete there will be another six to be completed before the end of the year. That will bring that to 10. The others are in their procurement stages.

Mr HIGGINS: If we took the ones that we did not complete this year off that 23, how many additional ones are we adding to that next year? What is the total sum that will be built? Like you say, we have three, two and 10 at Elliott. I think you were saying all those were in 2019–20. What do they add up to added to the four and then less out of 23? Will that tell us how many additional ones we will get next year?

Mr McINNES: The planning for 2019–20 is actually still under way. We are engaging with agencies at the moment to identify their local recruits. We also wanted to undertake a trial in Gunbalanya around additional dwellings there and how we might have a more innovative approach to government employee housing next year. I guess the short answer is that we have not completed our planning for 2019–20 and are still working through demand.

Mr HIGGINS: How much money do you have allocated to it in 2019–20 then?

Mr McINNES: We have a further \$10m program allocated to 2019–20. In terms of actual cash allocated in 2019–20, we have \$10.7m, which will cover the dwellings under way at the moment plus a portion of the new dwellings that are in progress.

Mr HIGGINS: If you were going to complete 23 this year, what was the allocated in funding for that 23 and how much of that is now carried forward if we only completed four? Presumably we might have made some payments on those ones currently being built.

Mr McINNES: In our approved program for 2018–19, which included the revote was \$19m. Our approved cash against that was \$4.8m and we spent, as of 31 March, \$3.2m. We are hoping to achieve \$4.5m by the end of the year, so we will carry over \$14.5m into next year. The new program for next year will be \$24.5m with a cash allocation of \$10.7m.

Mr HIGGINS: I had a question with \$24.6m with another \$10m in the budget papers. The reason I asked those questions was because in the budget papers I was getting some confusion because of the \$10m extra. I have tried to ask the question in a roundabout way to give me my answer that I wanted.

What are the latest figures for upgrades made under the Room to Breathe program?

Mr McINNES: For Room to Breathe, at the end of March 2019, works had been completed on 132 houses, which is 199 additional living spaces: 91 bedrooms, 95 living spaces and 13 bathrooms. Of those, there were 14 dwellings completed in this year. We have contracts under way for 106 homes across the communities of Weemol, Areyonga, Milyakburra, Ali Curung, Tara, Kybrook Farm, Kalkaringi, Lajamanu and Santa Teresa.

There is a further 36 houses that have been tendered for construction works. What we have done this year, to ensure we have a pipeline of works, is we have scoped a lot more dwellings than we originally tendered to. We have now scoped more than 12% of our remote housing stock, so in excess of 600 dwellings. They are being rolled out as larger pipelines of works across remote communities. By the end of the year, we are hoping to have 321 dwellings either completed, under way, or in procurement.

Mr HIGGINS: The 132 that you said had been completed—I immediately thought that was this year but then you gave me a figure for this year. That 132, I presume, goes back to...

Mr McINNES: It is a cumulative number.

Mr HIGGINS: How many did we complete so far this year?

Mr McINNES: So far we have completed 14 but the intent is to scope up. It is costly to go back to community for the engagements. With the architects we use we get bigger bang for our buck if we scope more dwellings at a time. There is a significant amount of work in the pipeline and that will roll out over the next two years.

Mr HIGGINS: How many communities have been scoped? If you are doing them in lumps, how many have we scoped in that pipeline?

Mr McINNES: It is actually on that list of communities.

Mr HIGGINS: HK Consulting: what work do they do in regard to scoping or what in remote communities and are they involved in that scoping for the Room to Breathe? HK Consulting, my understanding, give us information about the state of properties in some of these communities. They are an independent consultant that housing use.

Mr McINNES: I will need a look at who we have on board as part of our panel of contracts and whether they are part of the panel of contracts. If they are part of our Room to Breathe panel contract and they are doing works in remote communities, essentially they are helping us in the engagement process—talking to tenants, working out what changes to amenities the individual wants to their home to ease the effects of overcrowding. That could be enclosed verandas, additional bedrooms or bathrooms, dust suppression works around the house and general amenity. They listen in the engagement process, they go away and do the concepts and design works et cetera.

Mr HIGGINS: Can I get a breakdown of how much work, or what is the value of the work that HK Consulting have done in the last 12 months and where they have done that work? It may not be in Room to Breathe, I do not know. It may just be in the other remote housing.

Mr McINNIS: I have the list of architectural consultants and HK are not on that panel.

Mr HIGGINS: So, that means they are not doing Room to Breathe?

Mr McINNIS: No, not doing Room to Breathe. We would need to look into that to find out what work they are doing.

Mr HIGGINS: In the general remote housing area—can I put that question on notice then?

Madam CHAIR: Could you restate the question for the record please.

Mr HIGGINS: How much work does HK Consulting do for you in remote areas in regard to housing and how much has been paid out to them in the 12 months, or up to the end?

Madam CHAIR: Minister, do you accept the question?

Mr McCARTHY: I accept the question. Madam Chair, we have the answer to that question now.

Madam CHAIR: I have not allocated it a number so ...

Mr McINNIS: Madam Chair, a point of clarification—HK Consulting is actually employed through DIPL, which is where you would need to refer that through.

Mr HIGGINS: Can we put that on notice to go through to DIPL?

Mr PAECH: You can ask DIPL when they appear.

Madam CHAIR: I think you have to ask the question of DIPL when they come, otherwise it hangs over in this part of Hansard as well. You can let the minister be aware that that question is coming.

Mr McCARTHY: While we have a break in the traffic, Madam Chair, I table two documents for the committee and for the Member for Nelson to take to show his constituents. They represent beautiful subdivisions that represent beautiful towns that represent great outcomes for remote Indigenous residents in terms of the remote housing program.

Mr HIGGINS: When we talk about government housing in the communities et cetera, can you give us a bit of a breakdown on the ones that have been—and there are only four of them—police housing, Health, teachers? If you happen to have the breakdown of the 132 would be good as well.

Mr McINNIS: Opposition Leader, the 133 Room to Breathe you are talking to?

Mr HIGGINS: Yes.

Mr McINNIS: The number of dwellings here, split by agency. I am happy to table that document if I can—government employee housing by agency and location.

Mr HIGGINS: So they are the whole lot since 2016?

Mr McINNIS: Not since 2016. We can get that information.

Mr HIGGINS: They are the four are they?

Mr McINNIS: These are the four plus the ones that are under way.

Mr HIGGINS: Could I get the ones that have already been completed back? Do you want me to put that one on notice?

Mr McCARTHY: Yes.

Question on Notice No 5.11

Madam CHAIR: Opposition Leader, can you please restate the question for the record.

Mr HIGGINS: Can I have a breakdown of the government employee houses that have been completed since 2016 broken into which agencies?

Madam CHAIR: Minister, do you accept the question?

Mr McCARTHY: Yes.

Madam CHAIR: The question being asked by the Opposition Leader of the Minister for Housing has been allocated the number 5.11.

Madam CHAIR: Are there any further questions under Output 1.2?

Mr HIGGINS: I will ask one more so we can move on to the next one. How many communities, and which ones, have locally based community housing officers or housing maintenance officers? As in, direct employees as opposed to contracted out.

Mr BAMBER: In terms of direct employees of the department?

Mr HIGGINS: Yes.

Mr BAMBER: In terms of direct employees of the department, I have two in Wadeye, one property and one tenancy; I have three on the Tiwi Islands, spread through the communities; and I have two on Groote Eylandt. What we then have is outsourced contract arrangements.

Mr HIGGINS: That was going to be my next question.

Mr BAMBER: Where we contract a range of contractors to do tenancy support and to do handyman work—that is quite a list. Do you want a list of contractors?

Mr HIGGINS: No, just a list of which communities and how many they have. I am not after who they contracted.

Mr CHALKER: To seek clarification, Leader of the Opposition, you are after the actual contractors FTE?

Mr HIGGINS: I am after the numbers that we have in each community and which community.

Mr CHALKER: As in government employees or contract employees?

Mr HIGGINS: I have the government employee ones, so I just want the contract ones where you have outsourced that tenancy work et cetera.

Mr CHALKER: We will have to provide that on notice.

Question on Notice No 5.12

Madam CHAIR: Opposition Leader, could you restate the question for the record.

Mr HIGGINS: Can I get a list of the communities and the number of community housing officers, or housing maintenance officers that are subcontracted in each community that are permanently in those communities?

Mr BAMBER: Permanently, as opposed to a hub and spoke arrangement where they might be servicing from a ...

Mr HIGGINS: If you have hub and spoke, which the minister was talking about earlier, that concept—if they are grouped in to that that would be fine as well.

Mr BAMBER: This is where the clustering comes in because as you are aware, there are communities where it is just not big enough to warrant a full-time person so you will have the hub and spoke where they will travel from the nearby ...

Mr HIGGINS: If you say, yes, they are in this community and here are the ...

Madam CHAIR: Minister, do you accept that question?

Mr McCARTHY: Yes, Madam Chair.

Madam CHAIR: The question asked by the Opposition Leader of the minister for Housing has been allocated the number 5.12.

Madam CHAIR: Are there any further questions on Output 1.2?

That concludes consideration of Output 1.2.

Output 1.3 – Community Services

Madam CHAIR: We will now consider Output 1.3, Community Services. Are there any questions?

Mr HIGGINS: How many Aboriginal interpreters do we expect to get for the \$1m that is in Budget Paper No 3, on page 141?

Mr McCARTHY: Opposition Leader, we will get that information to you. However, it should be qualified with—Aboriginal Interpreter Services have received an additional \$1m but the Aboriginal Interpreter Service employs lots of casual interpreters. I will see what we can do in terms of answering that question.

Mr McINNES: Opposition Leader, the \$1m is to contribute to the Aboriginal Interpreter Services program. It is difficult to measure how many we would get for that \$1m because it covers other costs and it fluctuates.

We can get these numbers for you. The amount of interpreters that are supporting the remote housing program has increased.

Mr HIGGINS: How much has been paid by other agencies for using an interpreter service? Do you have a figure on that? Does that money come back in to your budget or does it get handed over to Treasury?

Mr BAMBER: Opposition Leader, it comes back to us.

Madam CHAIR: Do you have those figures here or do you need to take those questions on notice because there was two questions.

Opposition Leader, are you happy to treat them as one?

Mr HIGGINS: Yes.

Question on Notice No 5.13

Madam CHAIR: Opposition Leader, can you please restate the question for the record.

Mr HIGGINS: How many additional Aboriginal interpreters do we expect to get for the additional \$1m, and how much has been paid by other agencies for using the interpreter service?

Madam CHAIR: Minister, do you accept those two questions bundled together?

Mr McCARTHY: Yes, Madam Chair.

Madam CHAIR: The question asked by the Opposition Leader of the minister for Housing has been allocated the number 5.13.

Madam CHAIR: Are there any additional questions for Output 1.3?

Mr HIGGINS: When we talk about the outstations housing—last year the comment was made that we would build some new houses, or provide new houses in some outstations and homelands ‘where proponents are prepared to place co-funding in to the proposals’. Have we had any success with that?

Mr McCARTHY: No. There has not been any formal agreement or partnership in that space. As we talked about earlier, the review has been a very worthwhile exercise and will provide important information to continue the conversation about how we support and grow homelands into the future.

Mr HIGGINS: What do we see as the main stumbling blocks, at the moment?

Mr McCARTHY: For our co-contribution policy?

Mr HIGGINS: Yes.

Mr McCARTHY: The first thing I have been made aware of is that some homelands have access to royalty streams, and other homelands do not. There is a challenge across the Northern Territory in terms of diversity of homelands and their access to financial resources.

Essentially, as we talked about earlier, this bipartisan approach to the Commonwealth is probably the best starting point. With the review and the information that has been collated with a good bipartisan approach to the Commonwealth about the potential of resources into homelands is probably a good start. Then we can try to be creative with what is available.

Madam CHAIR: Any further questions on Output 1.3?

Mr McCARTHY: No, I might leave that.

Mr WOODS: Minister, in the budget papers it talks about the number of local Aboriginal workers employed under homelands job grants, and it also says this is a new measure. Could you explain what homelands job grants are, and who supervises it?

Mr McCARTHY: Yes, Member for Nelson, we will provide some detail around that. In terms of the homelands jobs program, it is once again an initiative to provide that opportunity to get people working and engaged in community development.

Those grant programs are paid to the service providers who deliver services into the homelands, and those decisions are made around the service providers and their footprint in the homelands. For further detail, I refer to Dwayne.

Mr McINNES: Member for Nelson, essentially the homelands job grants are provided to service providers for the employment of local workers to assist in the delivery of some of the funded services in homelands. They could be employed to do some of the MES. It is across all outstations. It is a new measure this year, but the program has been running for a little while and it does provide good employment outcomes across the outstations.

Mr WOODS: Do you have a list of outstations where people are employed, or is that too complicated?

Mr McINNES: No, we have a list of outstations that get the jobs grants. Some of them are shared across locations, but we do have a list in terms of where the funding goes.

Mr WOODS: Does the ranger program clash with this at all? Some communities use rangers on outstations.

Mr McINNES: I could not tell you.

Mr WOODS: Is that list available, where they are working?

Mr McINNES: Yes. We can provide this document, it is publicly available information. It gives you an indication of where the shared locations are for those jobs.

Madam CHAIR: Are you going to table that or is it a question on notice? How are we managing this one?

Mr McINNES: It is publically available information.

Mr WOODS: Has it been successful?

Madam CHAIR: Are you just tabling that? Are you happy for that to be tabled, Member for Nelson?

Mr WOODS: Yes. Has it been successful?

Mr McINNES: Member for Nelson, it has been successful. I have to say though, we are doing a wholesome review on our homelands policy which includes all the programs being delivered under that policy to see if they can be value-added to in any way, or are they still contemporary with the needs of outstations. Each of those programs will be reviewed in the coming months.

Madam CHAIR: Any further questions on Output 1.3? That concludes consideration of 1.3.

Output 1.4 – Local Government and Community Development

Madam CHAIR: We will now consider Output 1.4, Local Government and Community Development. Are there any questions?

Mr HIGGINS: In Budget Paper No 3, on page 141, there is a 100% increase in Commonwealth financial assistance grants to council. Can I get an explanation on that?

Mr CHALKER: It is the prepayment of the FAS payments.

Mr HIGGINS: What is the total—and I think we have had this answered before—NTG contribution to the Barkly Regional Deal.

Mr BAMBER: It is \$30m.

Mr HIGGINS: From the NTG?

Mr BAMBER: From the NTG and the remainder from the Australian Government—sorry, apart from \$3m from the Barkly Regional Council.

Mr HIGGINS: Regarding the commonwealth Financial Assistance Grants to Local Government, that is administered by the NT—and I think the answer before was that those grants would not be subject to the 3% efficiency, is that right?

Mr CHALKER: Not the Commonwealth contribution, no.

Mr HIGGINS: Funds granted under the Strategic Local Government Infrastructure Fund, are they going to be subject to the 3% grant efficiency?

Mr CHALKER: Yes.

Mr HIGGINS: Can you provide a list of how much each local government entity will be cutting grants by the government through the 3% efficiency dividend? Has that been worked out yet? If we are talking about a 3% cut in that infrastructure fund it is one of them that if we are getting a 3% efficiency, is there a list of how much each local government entity will be cutting grants by the government through that 3% efficiency? I am trying to get an impact of that 3% on the amount of money that the Territory government gives to ...

Mr CHALKER: We are stilling working that through, we will have to take that on notice.

Question on Notice No 5.14

Madam CHAIR: Please restate the question, Opposition Leader.

Mr HIGGINS: Can I get a list of how much each local government entity will be cutting in grants from the NT Government through the 3% grant efficiency dividend, noting that that work has not been completed, but if we could be provided with data when it is complete.

Mr McCARTHY: Opposition Leader, if we could clarify your question. For instance, the strategic infrastructure grants pool is \$5.1m per annum, so it will incur an efficiency dividend and then that pool goes into the play for regional councils to submit their submissions. I can tell you now it is a very popular grant program, it is always oversubscribed. It becomes an exercise through the department of providing equity and parity across their submissions. It will not be necessarily applied to an individual council, it will be applied to that grant pool.

Mr HIGGINS: I am after any grants or funding given to local councils, what is the impact of that, the 3%?

Madam CHAIR: Are you happy to accept that question, minister?

Mr McCARTHY: Yes.

Madam CHAIR: The question been asked by the Opposition Leader of the minister for Housing has been allocated the number 5.14.

Madam CHAIR: Are there any further questions on Output 1.4?

Mr PAECH: Will that efficiency dividend be on the local authorities?

Mr CHALKER: The grant funding element for the local authorities will be subject ...

Mr PAECH: There will be 3% there?

Mr CHALKER: All grants provided by the agency do not differentiate.

Mr WOOD: Since the Vic Daly Regional Council was split up, has extra funding been required by the NT Government to make the two new councils viable? If so, what extra funding has been required and how long will that funding be required?

Mr McCARTHY: Sorry I missed the first part of that question.

Mr WOOD: Since the Vic Daly Regional Council was split up, has extra funding been required from the NT Government to make the two new councils viable? If so, what extra funding has been required and how long will that funding be required?

Mr McCARTHY: Those figures would have been tabled in previous estimates hearings because there is no longer any additional funding supply.

Mr WOOD: I was not sure. That is fine. Here is a favourite one every year: what is the government doing about unincorporated areas? I remember asking this question when the previous minister, Delia Lawrie, was in the job.

Mr McCARTHY: There are two areas in regard to the local government policy that I continue to explore. One is unincorporated areas and the other is the unconditional ratings. It is my task; the department has prepared some good research base on that, and it is my endeavour to take that to Cabinet and look at those issues. At this stage there is no formal proposal in either of those two areas.

Mr WOOD: You probably knew this question was coming because I have asked Minister Lawler during sittings. It relates to local government. What is the legality of roads built by local regional councils on Aboriginal private land, that is, land owned by a land trust, and paid for by funds from the NT or the federal government? My argument is you cannot come to my house and build a road on my property with public money. Many of the roads on Aboriginal land, unless they have a gazetted or leased definition, are private roads requiring a permit. What is the legality of roads built on Aboriginal private land?

Mr McCARTHY: It is a good question.

Mr WOOD: At the end of the three-minute question she said it is legal. But that did not satisfy me because there was nothing before that; it was a bottom-line throw-in. I have been chasing this for a while and it worries me because there are other issues. There are roads that are not gazetted or leased, subject to the *Traffic Act*, the *Roads Act*—do you need your vehicle to be registered if you drive on those? What happens if you have an accident?

I am trying to get some fundamentals about the use of public money on a road that is not gazetted or at least leased. You lease them in the town for the subdivision—that is fine. You hand it over to the council, but the roads in the budget on Melville Island, the Central Arnhem Road, at Wadeye—I think the Wadeye road is inside the land trust land. I am interested in if there is a legal basis that it can be done. I understand it can be done where you provide money to an outstation and to a service provider. It is like giving them a grant and they can do what they like with it. In this case you are doing the work and building the roads.

Mr McCARTHY: It is an interesting issue. Having just driven the Central Arnhem Road from the Stuart Highway to Banyala homelands I know what you mean. Being a previous minister in government I was privileged to work with construction infrastructure teams that built three bridges on that road. That realigned significant sections of that road to deliver that infrastructure. The improvements on that road were incredible, and are getting better. They are an important link in regard to transport logistics into the East Arnhem peninsula and Nhulunbuy.

All these aspects I acknowledge, but are still underpinned by your question on legality. The regional police were at Banyala, so I assume that if I had infringed the *Traffic Act* at any time in the presence of those police, I would have been charged accordingly. We need to ask that question. Essentially, the negotiations with the traditional owners and the partnerships that are being formed through this including the access to resources are commendable. They need to be commended but we still have this last piece of the puzzle to define and that is the road corridors.

I suggest you ask that question of DIPL and Minister Lawler.

Mr WOOD: I will.

Mr McCARTHY: Once again, we can talk about the benefits and partnerships and goodwill but there is that one grey area you are interested in around the legality.

Mr WOOD: I am not opposed to that. I think the best thing is to get those roads opened up.

Madam CHAIR: Member for Nelson, do you have question in this output for the minister?

Mr WOOD: I was just going to make a short comment that years ago governments used to grade roads on pastoral properties and it stopped it for that very reason. My next question regards rating. I think you might have heard this question before but it probably needs a bit more work on it. Has the department looked at the issue of rating Aboriginal land where TOs earn income from commercial enterprises or lease payments on their land and at the same time receive the benefits of local government services?

I put that in context that most of our regional councils, without government funding, would be dead in the water because their rates would go from about 1% to 9% and that is it, whereas a normal council is at about 50%. Has the department looked at the issue of rating Aboriginal land based on the act? Of course, I am working within the act.

Mr McCARTHY: Sure. I remember the General Business motion that you brought to the House and good debate you created there. I will let Mr Chalker respond to this.

Mr CHALKER: Member for Nelson, Aboriginal land that is subject to a lease or licence conferring a right of occupancy occupied by an entity other than a land trust in specific circumstances or used for a commercial purpose is rateable.

Mr WOOD: Or used for commercial purpose—so, land that is where royalties are received and where lease payments are received, like for boat ramps, schools, where police station leases are paid out for that. Somebody is receiving that for commercial interest.

Mr CHALKER: If it is external to the land trust.

Mr WOOD: External to the land trust.

Mr CHALKER: So an entity other than a land trust. If the Aboriginal land is occupied by an entity other than a land trust or used for a commercial purpose it is rateable.

Mr WOOD: But if it is leased is it still a land trust or the TO's land and not land trust anymore? So the hospital ...

Mr CHALKER: It would depend on the specifics.

Mr WOOD: Who is the lease in the name of? When the police station goes down there is a lease. Who is the lease written out to? Who owns that lease?

Mr CHALKER: Generally that will come down to specifics.

Mr WOOD: Yes. Because it is not a charitable organisation.

Mr CHALKER: No.

Mr WOOD: Have you had any legal advice on that at all or is that just how you interpret the act?

Mr HIGGINS: Could that just be re-read, what was explained before?

Mr WOOD: I never got that when I read it the first time.

Mr CHALKER: If it is leased and used for commercial purposes, they have to pay a lease.

Mr WOOD: Pay rates.

Mr CHALKER: Pay rates, sorry.

Mr WOOD: And at the moment they do not because nobody wants to do it. So a council could charge rates on that lease?

Mr CHALKER: Yes, that is correct.

Mr WOOD: I would put it back to the minister that maybe it is worth looking at. At the moment people are getting services for free, but at the same time are charging the council for having its workshop and other places with council offices on that land. At the same time people are getting a benefit from having that council and the council is getting nothing back in return. That is my argument. All I can say is, would it be worth at least looking at and seeing whether it is something councils would consider?

Mr CHALKER: Member for Nelson, the act is currently being reviewed, so we will happily give you a briefing.

Mr WOOD: I have the act on my desk along with a couple of other things and I will get to it eventually.

Mr CHALKER: I am happy to put a couple more learned people than me in this space to assist you with your interpretation.

Madam CHAIR: Member for Nelson, are you happy to park that and accept a future briefing?

Mr WOOD: Yes, thank you.

Madam CHAIR: Are there any further questions on Output 1.4, Local Government and Community Development?

Mr WOOD: The minister might like this one. It was \$80 850 to design, purchase and install solar pool heating at the Tennant Creek swimming pool. Has it been done and will this mean the swimming pool is open during the Dry Season?

Mr McCARTHY: Good question, Member for Nelson. No, it has not been completed yet and I have been regularly advocating to local councillors, particularly one I know well, and I believe the last report that Councillor Vashist provided was that there were contractors on site last Friday. We hope to see that solar heating completed. The whole idea of it is to increase the swimming season, to provide more access to the pool and definitely complement the youth sport and recreation opportunities for young people and families in Tennant Creek which will be a great benefit. It is a great aquatic facility.

Mr WOOD: And you will be opening it with a special lap?

Mr HIGGINS: Across the pool.

Mr McCARTHY: Member for Nelson, at this stage I am hopeful that I will get an invitation to the opening.

Madam CHAIR: Are there any further questions on Output 1.4? That concludes consideration of Output 1.4 and Output Group 1.0.

OUTPUT GROUP 2.0 – CORPORATE AND GOVERNANCE

Output 2.1 – Corporate and Governance

Madam CHAIR: The committee will now proceed to Output Group 2.0, Corporate and Governance, Output 2.1, Corporate and Governance. Are there any questions? There being no questions, that concludes consideration of Output 2.1.

Output 2.2 – Shared Services Received

Madam CHAIR: The committee will now proceed to Output 2.2, Shared Services Received. Are there any questions? There being none, that concludes consideration of Output 2.2 and Output Group 2.0.

With regard to Output Groups 3.0 and 4.0, the NT Electoral Commissioner notes that whilst the Chief Minister is responsible for the NT Electoral Commission responsibilities under the *Electoral Act*, the Minister for Local Government, Housing and Community Development is responsible for the NT Electoral Commission responsibilities under Chapter 8 of the *Local Government Act*.

However, since questions regarding local government were asked of the Electoral Commissioner during his appearance with the Chief Minister, he will not be reappearing.

Are there any non-output specific budget-related questions? There being none, that concludes consideration of outputs relating to the Department of Local Government, Housing and Community Development. On behalf of the committee I would like to thank department staff who attended today.

OUTPUT GROUP 5.0 – NT HOME OWNERSHIP

Madam CHAIR: The committee will now move on to consider NT Home Ownership business line. Minister, do you wish to make an opening statement regarding NT Home Ownership.

Mr McCARTHY: No, Madam Chair.

Madam CHAIR: Thank you. There will be no questions in the absence of a statement. Are there any questions on the NT Home Ownership business line?

Mr HIGGINS: Just one simple question: how many Territorians have been helped through the NT Home Ownership scheme during the reporting period?

Mr BAMBER: For the period to date 2018–19, we have issued 40 no-deposit loans to the value of \$3.445m and one subsidised interest rate for \$395 000.

Madam CHAIR: Are there any further questions?

Mr WOOD: Yes.

Madam CHAIR: Member for Nelson.

Mr WOOD: Could I get a clarification—there have been a lot of home things going on over the years. There was one where the government could purchase half your house more or less and you purchased the other half. Eventually you paid the government out of its share. Does that scheme still exist?

Mr BAMBER: That was a scheme where we could take up to 20%. I do not think it was half.

Mr WOOD: I am not sure if it was half, but the government could buy a percentage of the house.

Mr BAMBER: The low deposit loan provides us with an opportunity to subsidise. I will read it out: ‘The low deposit loan provides a home loan of up to 70.5% of the purchase price, first mortgage secured finance of 80% of the purchase price, and has a deposit contribution of at least 2.5% from the purchaser’.

Mr WOOD: Are people still using that?

Mr BAMBER: There are 40 this year.

Mr WOOD: It does not seem to be as advertised as well as some of the other things.

Mr BAMBER: It has been around for quite a while. It is lower than previous years, but we are still offering loans.

Mr WOOD: Under the Home Buyer Initiative, can this supply to Aboriginal people living in an Aboriginal community if they own or lease a parcel of vacant residential Aboriginal land.

Mr BAMBER: We had set up a separate arrangement for that, which is where the Wurrumiyanga house was built. That was where the IBA, the Indigenous bank, who financed that.

Mr WOOD: But they could use it in theory?

Mr BAMBER: Yes.

Mr CHALKER: That Aboriginal home ownership program remains open.

Mr WOOD: Okay, just this home buyer initiative ...

Mr BAMBER: It is a separate issue and scheme.

Madam CHAIR: There being no further questions that concludes consideration of the NT Home Ownership business line. I thank the officials who have assisted the minister today.

The committee will now consider outputs relating to the Office of the Commissioner of Public Employment, and we will allow a couple of minutes to changeover your support staff minister.

The committee suspended.

OFFICE OF THE COMMISSIONER FOR PUBLIC EMPLOYMENT

Madam CHAIR: Minister, I invite you to introduce the officials accompanying you and if you wish to make an opening statement regarding the Office of the Commissioner of Public Employment.

Mr McCARTHY: Thank you, Madam Chair. The Office of the Commissioner for Public Employment is responsible for public sector workforce management and development, employee and industrial relations, and public sector appeals and grievances. I would like to acknowledge the witnesses attending today from the Office of the Commissioner for Public Employment, including David Braines-Mead, the Acting

Commissioner for Public Employment; Cheryl Winstanley; Robert Csar; Libbey Donney; Terry Lisson and Camille Lew Fatt. Thank you, Madam Chair.

Madam CHAIR: Thank you, minister. Are there any questions relating to that statement or would you like to go straight into the outputs? It makes it difficult when there is no big flourish at the beginning, but that is fine because we can go to outputs and ask questions there.

The committee will now consider the estimates of proposed expenditure contained in the Appropriation Bill 2019–20 as they relate to the Office of the Commissioner for Public Employment.

Agency-Related Whole-of-Government Questions on Budget and Fiscal Strategy

Madam CHAIR: Are there any agency-related whole-of-government questions on budget and fiscal strategy? There being none, that now concludes questions on that area.

OUTPUT GROUP 6.0 – EMPLOYMENT SERVICES

Output 6.1 – Employee and Industrial Relations

Madam CHAIR: The committee will now proceed to Output Group 6.0, Employment Services, Output 6.1, Employee and Industrial Relations. Are there any questions?

Mr HIGGINS: Yes, my first question is how are we going in regard to the 250 voluntary redundancies announced as a savings measure in the 2018-19 budget?

Mr BRAINES-MEAD: Thank you for the question, Opposition Leader. Part of last year's budget, there was a target of 250 over four years, and that target was set with 100 for this current financial year, and then 50 in each of the next three financial years.

It was split across all agencies. We were given specific targets, and I can advise the committee that as of now, all 100 and all targets set per agency have been achieved for this financial year.

Mr HIGGINS: According to the quarterly public service figures delivered a couple of weeks ago, the government has reduced the public service numbers by 58 since December 2018. Is that figure in line with savings targets outlined in the Langoulant report and the root-and-branch review?

Mr McCARTHY: Leader of the Opposition, I think if we are talking about the Langoulant review, we are talking about changes over the medium term. So you are going to see this work being conducted over subsequent years.

Mr HIGGINS: Minister, is it true that all public servants on ECO contracts must approve the freezing of their pay, as it constitutes an amendment to their contracts?

Mr McCARTHY: Leader of the Opposition, essentially it will be done through consent.

Mr HIGGINS: So, is it true that every one of them must approve that as an amendment to their contract? So, through consent, but it must be an amendment to their contract?

Mr McCARTHY: The amendment will be presented to each executive contract officer, and that will be managed by the CEO of each agency.

Mr HIGGINS: I presume that is the amendment that was attached to a letter from the head of the Chief Minister's department?

Mr BRAINES-MEAD: Opposition Leader, the letters were sent by each chief executive officer, but you are correct, the election form attached to those letters included a consent variation for each ECO to sign, if they consented, to change the determination to freeze their salary for the next three years.

Mr HIGGINS: Was advice sought from the Office of the Commissioner for Public Employment on the practicality of a pay freeze, prior to the government making that announcement? And who further was consulted concerning that pay freeze before it was announced. In that regard I am asking about unions, industrial relations specialists, anyone else with knowledge of employment contracts.

Mr McCARTHY: Leader of the Opposition, as you know, the Commissioner for Public Employment is a statutory employer of the public service, and legal advice was sought when the report was tabled.

Mr HIGGINS: Was legal advice sought by government or by the Public Employment Commissioner?

Mr McCARTHY: By the Public Employment Commissioner.

Mr HIGGINS: Was that sought before the announcement was made or after?

Mr McCARTHY: Before the announcement.

Mr HIGGINS: Did we do any modelling in regard to that as to what might happen if there was no uptake on that?

Mr McCARTHY: The answer is no.

Mr HIGGINS: Do executive contracts allow for any unilateral varying of the terms of those contracts before they have expired?

Mr McCARTHY: I am advised no.

Mr HIGGINS: The Chief Minister said in the media that everyone will be taking the pay freeze, full stop. What is your understanding of how this will be enforced? You have already said it is up to each individual to be negotiated by the CEO. How do we have the word 'negotiated' when the Chief Minister has said everyone will take the pay freeze? Is that how the Chief Minister or the CEO is negotiating?

Mr McCARTHY: It has been articulated very clearly, the serious nature and necessary budget repair in the Northern Territory. It is a conversation among Territorians. I am pleased to say that the government, through commissioning the Langoulant report, has put the context around that.

As we have ascertained, each CEO will manage each agency. These discussions will take place.

Mr HIGGINS: We have changed the wording there from 'negotiate' to 'manage'. That means everyone will be taking the pay freeze; it is not a negotiation.

Mr McCARTHY: If you want my personal opinion, I think people will embrace this. It is a process we will work through.

Mr HIGGINS: Will there be any retaliatory action against anyone who does not agree to take that pay freeze?

Mr McCARTHY: No.

Mr HIGGINS: How is it planned to enforce that if someone says they will not take it?

Mr McCARTHY: The fact of the matter is that executive contracts are short term and negotiated in the course of those offices and the business they conduct.

Mr HIGGINS: How do you define a short-term contract?

Mr McCARTHY: On an executive contract.

Mr HIGGINS: It is a 'term' contract. I would not classify it as a short-term contract.

Mr McCARTHY: They are varying contracts, as you know.

Mr HIGGINS: Will we impose different conditions on those that have different terms to their contracts? Is that what you are saying?

Mr McCARTHY: No. Each CEO in each agency will conduct this process in regard to the executive contract.

Mr HIGGINS: If a person feels they have been retaliated against for not accepting the pay freeze, will that subject the Northern Territory Government to potential legal or Fair Work consequences? Has that legality been checked?

Mr McCARTHY: There is no intention of retaliation.

Mr HIGGINS: Okay. The Attorney-General was asked earlier today whether any legal advice has been given to departments regarding the pay freeze for executive officers, and she referred us to your department. Have you given any legal advice that you have either from the Solicitor for the Northern Territory or the Solicitor-General? Have you passed that on to any of these departments or the CEO regarding the possible legal ramifications of attempting to impose or enforce a pay freeze on executive officers?

Mr McCARTHY: I can confirm that the Office of the Commissioner of Public Employment received legal advice and on that advice we will communicate that to each agency.

Mr HIGGINS: Are you able to provide a copy of that advice?

Mr McCARTHY: I am advised that in relation to legal advice it is not a normal protocol and is subject to privilege.

Mr HIGGINS: Is that the legal advice?

Mr BRAINES-MEAD: It is not a normal situation.

Mr HIGGINS: Well, yes, it is not a normal situation at the moment. It does impact on the budget and it is one of the budget measures you are putting in place and we cannot check the legality of it, which I find astounding. But anyway, was that legal advice sought from the Solicitor for the Northern Territory, the Solicitor-General or was it sought externally?

Mr BRAINES-MEAD: It was sought from the Solicitor for the Northern Territory.

Mr HIGGINS: How many ECO contract staff does this affect?

Mr BRAINES-MEAD: I think it is around 640 in total across government.

Mr HIGGINS: What happens if an ECO does not agree to vary their contract? For all of those on executive contracts that are listening to this question, what is going to happen to them if they say, 'No, I do not want to agree to it, I do not want to negotiate it, that is how I want it finished'. What is going to happen to them?

That is a question in their minds at the moment.

Mr McCARTHY: As we have said, each CEO of agency will conduct those conversations and conduct those outcomes with each officer.

Mr HIGGINS: What time frame are you putting on someone having those negotiations? If I were on an executive contract and the department head asked me today to vary my contract and I did not want to vary it, when would be the end of the negotiations or would it be at the end of the term of that executive contract?

Mr McCARTHY: I am advised that by the end of June this year, those matters will be conducted.

Mr HIGGINS: So, we are talking about a period of roughly two weeks from tomorrow. Is that correct?

Mr McCARTHY: The conversations between CEOs and executive contract officers will commence.

Mr HIGGINS: Will commence, or be finished, by ...

Mr BRAINES-MEAD: The letters that went out to executive contract officers stated that they had until 30 June to sign, or otherwise, the consent form. These are hypothetical questions. Nothing can happen ...

Mr HIGGINS: They are not hypothetical if someone is asked to vary their contract.

Mr BRAINES-MEAD: Nothing can happen at this stage until post-30 June.

Mr HIGGINS: What will happen post-30 June if someone has refused, or says that they do not want to sign that variation to their contract?

Mr McCARTHY: I think I heard clearly that that is a hypothetical question and cannot be answered here.

Mr HIGGINS: It has to be a question that you had to have asked yourselves, because you are asking executive contract officers to sign that variation following negotiations. You cannot tell me that you are expecting 100% take-up on this, because you will not get it unless you are forcing it upon people. So it is not hypothetical. It is a letter that has gone out to people saying, 'You have until 30 June to decide your position on it'. What is going to happen then—follow up to that letter on 1 July?

Mr McCARTHY: Once again, Leader of the Opposition, you are pre-empting an outcome which is hypothetical.

Mr HIGGINS: Your letter that went out pre-empted an outcome. It was saying, 'You have until 30 June to make a decision'. I am now asking what will happen if people refuse to make that decision?

Mr McCARTHY: That is hypothetical and we will let the process take its course.

Mr HIGGINS: My question again is, what do you say to ECO contract officers that do not plan on signing this letter? Will you guarantee that no action will be taken against them?

Mr McCARTHY: We will let this process take place and it will be conducted ...

Mr HIGGINS: So you will not guarantee that no action will be taken?

Mr McCARTHY: You are putting words in my mouth. I am not going to respond to your politics, Leader of the Opposition. We have defined a very clear process. There is a very clear time frame. We will now let it take its course.

Mr HIGGINS: So, if it is a process, what is the result in that process when people do not say, 'Yes'.

Mr McCARTHY: I think the process is about budget repair. It is a process about Territorians dealing with this together. We will allow that process to take its course.

Mr HIGGINS: So if people do not want to opt to take that variation on their contract, can you guarantee that no retaliatory action will be taken against them?

Mr McCARTHY: I am not going to be verbally by you, Leader of the Opposition?

Madam CHAIR: Opposition Leader, one of the things that I said we would not be doing would be repetitive—you have asked that question a couple of times. Under Standing Order 109, the minister has made it quite clear that in consideration of his answer, the question is hypothetical because it is unknown at this stage how many people may or may not say that. Under Standing Order 109 that questions cannot contain a hypothetical matter. I would like to move on.

Mr HIGGINS: It is not a hypothetical matter, Madam Chair, it is not a hypothetical matter.

Madam CHAIR: Opposition Leader, I am making a ruling that it is a hypothetical matter under Standing Order 109.

Mr HIGGINS: Someone has a choice, yes or no. That is not a hypothetical. The letter is not hypothetical. It says, 'You have until 30 June to sign that contract'.

Madam CHAIR: Opposition Leader, you have stated that a number of times, and also as I have said it is repetitious.

Mr HIGGINS: So, there will be retaliatory action taken by the minister.

Madam CHAIR: Thank you very much. Member for Nelson, you have an additional outcome on Outcome 6.1?

Mr WOOD: On the same issue as the question—the *NT News* this week reported, it has quoted a union in relation to school principals, and it said that as of today, there are about 87 principals who are affected. None of them have returned the variation and we are going to seek further advice to ensure they are will not be unfairly penalised because this government has decided they needed to be the scapegoats of budget repair.

I have a couple of questions. What happens now that they have said they will not sign the variation? That is one question. Two is, according to this article in the *NT News*, 'The government' ...

Madam CHAIR: Whilst I will allow you to ask the same question, it is repetitive. You are a different entity ...

Mr WOOD: Well, it is coming from a different angle. I raised it with the Treasurer and with the Chief Minister, and they said to raise it with the Commissioner for Public Employment. It is an important issue because I have been approached about this issue.

In relation to what is said here that 'executive contracts worth at least \$217 000 per year would be the ones affected', are school principals worth more than \$217 000 a year? Regardless of that, if these principals do not sign the variation, as has been reported here, are you saying that because they are on contract, when their contracts come up next time to be renewed, there will be a fair chance they may not get their contract renewed?

Mr McCARTHY: Member for Nelson, I have the same response for you in terms of the other members of the committee. That is that this is a process and we will let it run its course. School principals, contract principles, will be negotiated with the Chief Executive Officer of the Department of Education.

Mr WOOD: In the case of what the Chief Minister said, he was not going to affect frontline workers. Would you regard school principals, with regard to what they get paid, as frontline workers or not?

Mr McCARTHY: That is not for me to comment on, Member for Nelson. We are working with a very significant budget repair measure that will make or break the future of the Northern Territory. This process has been set. We have a date and a process and will let it run its course.

Mr WOOD: Can I put it another way. The union has said here—and it is an argument I had with the Chief Minister the other day—there is something called good manners. The Australian Education Union said it was not consulted before the letters were sent out last week. You would have thought that to say you will get a pay freeze would upset people. You would have thought that the diplomatic and common-sense approach would be to say, 'The budget is in a terrible way. Let's go and talk to the union and the people and sit down and say we would like to be part of the solution.'

This was just a media release by the Chief Minister and bang, all these people—90 school principals found they were up for a pay freeze they knew nothing about. Many of them—I cannot speak for all, but the school principals I know I would regard as frontline workers. They cop it. You would know; you were teacher at one stage. They get all the parents' complaints.

Madam CHAIR: Member for Nelson, you were going to put this another way. Could you reframe your question?

Mr WOOD: What will happen now if, according to the Australian Education Union, those teachers and principals are now not going to sign? They would need to know the consequences of what they will do. I need to come back and tell them the answer the government has given me.

Mr McCARTHY: Member for Nelson, once again the letters were delivered to individual contract officers and there is a time frame provided to them. They will be negotiating with their chief executive officer and we will see that process run its course.

Mr WOOD: I thought time had been completed according to this. The answers had to be in on a certain date. Is that correct?

Madam CHAIR: I think it was previously selected, the date of 30 June. That day has not passed, so it is again hypothetical.

Mr WOOD: It is not hypothetical if they have said they will not sign it.

Madam CHAIR: That is hypothetical because at this time—they had just made that ruling before. That time has not yet passed so you do not know ...

Mr WOOD: If you refuse to sign it, that is not hypothetical; it is fact.

Madam CHAIR: Okay, but we will not know that until 30 June.

Mr WOOD: I think you have put yourself in a terrible situation.

Mr HIGGINS: They will need to know the consequence if they do not sign. That is not hypothetical.

Mr WOOD: All I am saying is that this should have been done a lot better, a lot more openly. There is a real issue about the budget. We should have been working with people. This is just saying, 'We are the boss'.

Madam CHAIR: Do you have any additional questions on this output?

Mr WOOD: No. I am just ...

Mr MILLS: At the risk of going over old ground, there is an aspect of this that I would like to have clear. This announcement was made and it drew public response. Was the legal advice regarding this action or decision of government sought before the announcement or afterwards?

Madam CHAIR: That question has been asked and answered in many outputs before.

Mr MILLS: It was not clear to me.

Mr McCARTHY: Before.

Mr MILLS: How long before? Walk us through how that happened.

Madam CHAIR: Sorry, I am really amazed that this is a performing part of the budget. We are actually on a wide-ranging—I will allow this one question and then we need to move on. I allow the question, Member for Blain, understanding that you have not had many questions.

Mr MILLS: This is nub of it. We have ourselves a terrible problem here.

Mr McCARTHY: Member for Blain, Mr Brains-Mead is an Acting Commissioner and he has advised me that when this was communicated to the Office of the Commissioner for Public Employment, they sought legal advice before.

Mr MILLS: But I am asking for you to be more specific. Before when? How far before? It is illegal—therefore, that advice was sought how far before? I think on behalf of those who have an interest, how well managed and how well considered this was because we have ourselves a real issue to handle here. If we have some evidence that this was well considered and the necessary steps were taken to make sure you knew where you were stepping before this announcement was made, it might help manage this a little better.

Mr McCARTHY: As I have answered, Member for Blain, the report was being managed by government. The office of the commissioner received that information and it was a few days before ...

Mr MILLS: A few days before the announcement?

Mr McCARTHY: That is what I am advised.

Mr MILLS: Right. Sought legal advice and that advice was then provided to government? Before the announcement?

Mr McCARTHY: The advice was provided to the Office of the Commissioner for Public Employment.

Mr MILLS: Hang on. No, sorry, that does not—government makes the announcement having already sought legal advice but that legal advice goes to the commissioner not to government. Does that mean that government made the announcement not knowing that this was, in fact, illegal?

Mr McCARTHY: The Office of the Commissioner for Public Employment sought the advice on behalf of government.

Mr MILLS: Was the commissioner asked by government to seek this advice or was it the commissioner's initiative?

Mr McCARTHY: I am advised that the office sought legal advice to provide to government.

Mr MILLS: Did government request that advice or was it the initiative of the commissioner?

Mr McCARTHY: The office of the commissioner being the statutory employer, it sought advice to advise government.

Mr MILLS: Therefore, government did not seek it. It was the initiative of the commissioner. Thank you.

Mr McCARTHY: That is semantics in the process.

Mr MILLS: No, it is not.

Mr McCARTHY: It is. In the process, these recommendations are going to be implemented. The Office of the Commissioner for Public Employment has 12 to work with and they sought some legal advice to advise government. That is normal process.

Mr MILLS: I commend the commissioner for doing that, honestly I do. The concern here is that government has created this situation to which the commissioner then had to respond to, putting the commissioner in a terrible position.

Madam CHAIR: That is hypothetical assertion and I am not going to entertain anymore ...

Mr MILLS: No it is not. It is certainly not hypothetical. It is an illegal action of government ...

Madam CHAIR: If it is on the same plane and it is the same sort of questioning, Member for Nelson, I will not allow it.

Mr MILLS: Hang on. On what grounds?

Madam CHAIR: No. I have made myself clear.

Mr WOOD: You can make a decision on what I ask. Does this decision fit within the PSEMA—the act?

Ms WINSTANLEY: Member for Nelson, I am not really clear on the question that the PSEMA is the legislative framework. The actions taken and the letters going out is not inconsistent with that legislative framework.

Mr WOOD: The Public Employment Commissioner has got the power and sent letters out. Is that what you are saying—and that is all it would cover?

Ms WINSTANLEY: To seek to vary the contract the PSEMA sets the powers for the commissioner to set terms and conditions for the executives. Those terms and conditions being set, if they are varied—the approach taken by the commissioner has been to seek to vary by consent with the letters in the form. It is not inconsistent.

Mr WOOD: I was trying to open the PSEMA but my computer decided to go blank. In the PSEMA, is there a section which says the public service commissioner asks for a variation in a contract, what the next step is if people who have been written to do not agree with that variation?

Ms WINSTANLEY: The act does not go to that procedural or technical aspect. It clearly provides the authority and functions of the commissioner to be able to set the terms and conditions.

Mr HIGGINS: Did that legal advice contain advice if people were not going to accept that contract? It seems to me that would be part of the advice you would seek. How do we vary the contract and what happens if people do not agree to that variation?

Mr McCARTHY: The advice was that the variation will be by consent.

Mr BRAINES-MEAD: Because it is illegal to impose it.

Madam CHAIR: Are there any further questions on Output 6.1?

That concludes consideration of Output 6.1.

Output 6.2 – Workforce Planning and Development

Madam CHAIR: The committee will now consider Output 6.2, Workforce Planning and Development. Are there any questions?

Mr HIGGINS: The public service employment figures are normally uploaded to the OCPE website, and the March figures were only just put up. What was the reason for that delay?

Mr McCARTHY: You asked me that in the House and I took responsibility for that. I guaranteed those figures would be up, and now they are.

Mr HIGGINS: They have only just been uploaded. I now want to know why there was a delay. Was there any reason?

Mr McCARTHY: You insinuated in your questioning in the House that it was in relation to the public service commissioner at the time. I assured you that it was not. I took responsibility and those figures were uploaded well before estimates for you to do your research?

Mr HIGGINS: We will not get an answer as to the cause of that delay, the same as we did not get an answer as to what retaliatory action you will take.

Madam CHAIR: Are there any further questions on Output 6.2?

Mr MILLS: It begs the question, if this is about our workforce planning, there is now an unintended consequence of its response to Langoulant. What measures have you put in place to help those CEOs manage the acquiring of consent and the consequences of those who do not consent?

Mr McCARTHY: Once again, this is a process. It will run its course and we will know the outcomes accordingly.

Mr MILLS: I am asking what measures are being put in place through the commissioner about workforce planning.

Mr McCARTHY: This process will run its course, as we have said.

Mr MILLS: But what measures are put in place by the commissioner to manage this?

Mr McCARTHY: The CEOs will manage this.

Mr MILLS: And the unintended consequences? Has any preparation been made?

Mr McCARTHY: What unintended consequences?

Mr MILLS: Can you not imagine? Those who choose not to comply or consent, and the consequences ...

Mr McCARTHY: That is hypothetical.

Mr MILLS: This output group is about planning. That is a consequence that needs to be planned for. There is no plan in place to pick up the pieces.

Madam CHAIR: The time now being 8.30 pm, that brings us to the end of our session. That concludes the estimates hearings for today. Hearings will recommence on Monday 17 June at 8 am with questions of the Minister for Primary Industry and Resources.

The committee suspended
