



LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

COUNCIL OF TERRITORY CO-OPERATION

SUB-COMMITTEE – ANIMAL WELFARE GOVERNANCE

TUESDAY 2ND OF AUGUST, 2011

Public Hearing - Meeting No AWG07

Members:

Ms Lynne Walker, MLA, Member for Nhulunbuy – CHAIR

Mr Gerry Wood, MLA, Member for Nelson

Ms Marion Scrymgour, MLA, Member for Arafura

Ms Kezia Purick, MLA, Member for Goyder

Mr John Elferink, MLA, Member for Port Darwin

Witness

Minister Malarndirri McCarthy

CHAIR: Right. Well, it being 8 o' clock, we'll get things under way. Good morning everybody. Good morning Minister, bright and early for this 8 o' clock start.

I would just like to declare open this public hearing of the Council of Territory Co-operation Sub-committee on Animal Welfare Governance. I'm pleased to welcome Minister Malarndirri McCarthy, the Northern Territory Minister for Local Government who has responsibility for animal welfare.

The Minister has been provided with a broad outline of areas that Members of the sub-committee wish to ask her questions about arising either from earlier evidence that we've heard here during hearings or from summonsed records and the Ombudsman's report into Mataranka Station.

Although the Committee does not require witnesses to give evidence under oath, these hearings are formal proceedings of the Parliament and consequently they warrant the same respect as proceedings of the House itself. I remind our witness that giving false or misleading evidence is a serious matter and may be regarded as contempt of Parliament.

Whilst this hearing is public, our witnesses have the right to request to be heard in private session. If you wish to be heard in-camera, Minister, please advise the Committee prior to commencing your answer.

Today's proceedings are obviously being electronically recorded. Witnesses are asked to state their full name and position before commencing their evidence. As soon as practicable following this hearing a transcript of the proceedings will be uploaded to the Committee's website but not before you've had the opportunity, Minister, to proof and correct the evidence that you've provided.

And finally, I remind Members, witnesses and members of the public that there are legal protections which apply to witnesses appearing before this sub-committee. Parliamentary privilege is indeed derived from the Legislative of the Assembly Powers and Privileges Act.

Minister, we certainly appreciate your appearing before us, accepting the invitation to appear before the sub-committee this morning, and if you wish to make an opening statement we would welcome that, otherwise we would move straight in to questions.

Minister Malarndirri McCARTHY: Thank you, Madam Chair. I'll just firstly just acknowledge the committee members and certainly that we've come together in the Land of the Larrakia. It is wonderful to be here in front of you to be able to answer the questions that are no doubt coming before me but to also urge the committee to really take a good hard look overall in terms of the whole process that has taken place from day one in regards to this most tragic affair at Mataranka. It is clearly an incident in the history of the Northern Territory that has been incredibly disgraceful. I have been on the public record consistently of that view. I have also said that my own department and the responsibilities within those who hold particular roles throughout, we are not blameless in this.

It is crucial to the confidence for the people of the Northern Territory that the outcome of this CTC inquiry looks at ways of how we can fix incredible gaps throughout this process that you've no doubt uncovered and will continue to uncover. But how we can make sure that those gaps are efficiently and sufficiently moulded

together to ensure that this kind of tragedy does not ever happen again in the history of the Northern Territory.

There have been many men and women, ladies and gentleman, who have been incredibly and deeply affected by this whole saga, and I say to those men and women that I have absolute confidence in the process of the CTC. I put to the floor of the Parliament the importance of this inquiry going to the CTC, for those reasons that I've already expressed, but also on the very deep and personal level for those people who have been deeply affected, that they too may have an opportunity to express to the CTC the impact that this event has had on them. And I welcome this inquiry, and I welcome questions by Members.

CHAIR: Thanks, Minister. Right. Questions.

Mr ELFERINK: If I may, thank you for appearing, Minister. Can I say at the outset that I am pleasantly surprised to see a Minister of the Crown coming to one of these committees, and I hope it bodes well for the future.

However Minister, down to business. On the 21st of June 2010 ... whoops, I tell you a lie, yes, on the 21st of June 2010, a report was prepared, or a ministerial was prepared for you which you signed on the 26th of June 2010. The issues raised in that ministerial were a description of what was happening at Mataranka, but also I would quote, the area marked sensitivities, "There could be ramifications not specific to this agency if CDU is prosecuted and convicted. These include possible embarrassment to government if a prosecution is forced, reduce confidence in the Territory primary production processes, reluctance of primary producers to work with government ... primary industry officers, the need for Animal Welfare Authority to consider the suspension or cancellation of CDU's licence to teach or undertake research involving animals which could impact on students' degrees. The effect of CDU's national and international reputation perhaps deterring potential students, and the reaction of animal activist groups". It goes on to say, Minister, "there could also be criticism if CDU is not prosecuted". Minister, do you recall that briefing note?

Minister Malarndirri McCARTHY: Member for Port Darwin, I recall that briefing note very clearly. It was the briefing note that alerted me to how serious the problems were within my department, and certainly the first thing I did on receiving that note was call for the Ombudsman to come and brief me herself as to what was going on.

Mr ELFERINK: And what did the Ombudsman tell you?

Minister Malarndirri McCARTHY: I had a meeting with the Ombudsman on the 22nd of June, the day after I received that briefing, and I was able to be informed by the Ombudsman on a number of issues. The most clear one that stood out in my mind was the absolute disconnect between the agencies within government in terms of making sure that the concerns that had been raised were obviously not moving up the chain in the appropriate way.

Mr ELFERINK: Did the Ombudsman's office make a recommendation that a prosecution proceed?

Minister Malarndirri McCARTHY: In that conversation, what was recommended to me was that this was a deep concern, and what I was told in that conversation on the 22nd of June was that the Ombudsman's office were in the process of doing their report, and that any material that they put together in their

report, that they would be more than happy to pass over to the Animal Welfare Branch for prosecution, in assistance with any prosecution.

Mr ELFERINK: Okay, so ...

Ms PURICK: John, just following in that vein, Gerry ...

Mr WOOD: Just before we go too far down that line, can I just ask, were you aware of this before you were given that memorandum?

Mr ELFERINK: Yeah.

Minister Malarndirri McCARTHY: Aware of?

Mr WOOD: Were you aware of any problems at Mataranka before you got an official memorandum?

Minister Malarndirri McCARTHY: Member for Nelson, when I came in to the portfolio in the end of 2009, I had a number of briefs that came through the office in terms of new ministerial responsibilities, and in the successive briefs from December through to June I was consistently reassured that everything was okay in Mataranka. And it was not until I received the brief of the 21st of June that I realised things were not okay. And that was why I called for the Ombudsman.

Ms PURICK: Minister, who were those assurances from? Your Department?

Minister Malarndirri McCARTHY: That's correct.

CHAIR: Okay. Member for Port Darwin.

Mr ELFERINK: Thank you. Lost my train of thought.

Mr WOOD: Sorry.

Mr ELFERINK: No, that's fine. Did the Ombudsman ... so the Ombudsman's office, Julie Carlsen in particular, was she recommending that you proceed with a prosecution?

Minister Malarndirri McCARTHY: I recall that both the Ombudsman and the Deputy were incredibly concerned. They were certainly very pleased with having worked and continuing to work with officers in my agency. Their reassurance to me was that their report would come up towards the end of June, July and that we would have the report that was required to pursue any kind of prosecution. So in genuine good faith I certainly accepted that, and what I did in my response was to push very, very aggressively for the connection between the agencies to be stepped up, for an MOU to be in place, that should have been in place, and for an increase in resourcing in the Animal Welfare Branch. These were my immediate responses to that conversation.

Mr ELFERINK: Minister, on the 3rd of June 2010, a internal memorandum from inside the department, from Meryl Gowing to Ken Davies, your Chief Executive said, and I quote, "Ms Carlsen is adamant that on the evidence obtained from CDU, DoR and Mataranka staff, this matter must go to court". She continues to ask if the department will prosecute CDU and possibly the manager of Mataranka Station if it is recommended by the Ombudsman. Well, clearly the Ombudsman was

recommending it, which takes us back to the briefing though that you received, or signed up on the 26th of June.

Ultimately the information in this briefing note puts you in to a position where you had to say you're going to go down this path or that path. The sensitivities outlined, as I described at the beginning, was you either prosecute, and if you prosecute, embarrassment to government, reduce confidence in the Territory, etcetera, etcetera. If you don't prosecute, then that could also create embarrassment.

You have been briefed by the Ombudsman and you have been briefed by your own department, so ultimately the decision had become yours. Why did you choose not to go down the prosecution path?

Minister Malarndirri McCARTHY: Member for Port Darwin, at no stage, and let me make this very clear to the committee, at no stage was I at all concerned about embarrassment to anyone. My concern was primarily two things. The first thing was the absolute disconnect between the agencies, the real concern that there could be other issues other than Mataranka out there that we were not dealing with and not across, and that we had to improve the efficiency of communication between those agencies.

Now when I called the Ombudsman and asked for her to come and brief me directly, I was clearly concerned with that particular brief. I had no fears whatsoever about embarrassing the CDU or any other person or organisation. My primary concern was if there was ... what was actually going on here.

Now the advice from discussions in the department was that with reassurance from the Ombudsman that their report would be coming down in June, July, we would still have adequate time to be able to use the information that came from that report. Clearly history has shown with previous experiences for the Animal Welfare Branch, you do need substantial evidence, you do need to have substantial information to be able to prosecute, and there was a view that having the information from the Ombudsman with her report would go a long way to supporting any moves for a prosecution.

Mr ELFERINK: But no prosecution was undertaken. Just asking the question again, why did you choose *not* to proceed down the path of a prosecution?

Minister Malarndirri McCARTHY: I believe I've just answered that, Member for Port Darwin.

Mr ELFERINK: Well, you've talked around it, Minister, but that's fine, if that's the way you want to deal with that, well, that's your business.

Minister Malarndirri McCARTHY: Well, I've given you my two reasons that we looked at that day.

Mr ELFERINK: All right.

Minister Malarndirri McCARTHY: And I was certainly informed by the Ombudsman that her report will be coming down quite soon.

Mr ELFERINK: So there's enormous pressure ... there's clear statements from Julie Carlsen from the Ombudsman's office that a prosecution should proceed. You

have been asked the question. You have determined not to go down that path on the grounds that there's plenty of time. Why did you not then take advantage of plenty of time at some later point when it was clear that prosecution was necessary?

Minister Malarndirri McCARTHY: I was certainly advised through the department as to how progress was being made and had taken absolute confidence in the information that was being provided to me that we were moving in a particular direction, firstly to improve the communication and disconnect that was quite clear amongst the agencies.

Mr ELFERINK: Minister, are you aware of a internal report, now that you talk about the disconnect, sorry, the David Coles and Kanzen Partners Report of December 2007, Review of the *Northern Territory Animal Welfare Act*, have you ever seen that document, Minister?

Minister Malarndirri McCARTHY: Member for Port Darwin, I certainly have seen that document recently. Yes.

Mr ELFERINK: Okay. Were you made aware of that document at any stage prior to June 2010?

Minister Malarndirri McCARTHY: No, I was not.

Mr ELFERINK: Okay. So you didn't know that the problems that had been identified leading to the deaths of the animals at Mataranka would have been averted if the recommendations of that report had been implemented?

Minister Malarndirri McCARTHY: I was unaware of that report, Member for Port Darwin.

Mr ELFERINK: All right. Going back to your decision to prosecute ... not to prosecute, at what point did you make a clear decision not to prosecute?

Minister Malarndirri McCARTHY: There was no clear decision not to prosecute, Member for Port Darwin, we were clearly waiting for the Ombudsman's Report.

Mr ELFERINK: But you received that in plenty of time. In fact, you have preliminary briefings saying that there was clear evidence and that there was a strong urging to prosecute.

Minister Malarndirri McCARTHY: The Ombudsman's Report did not come down until October, Member for Port Darwin.

Mr ELFERINK: Yes, but you were briefed as early as June.

Minister Malarndirri McCARTHY: We were waiting for her formal report.

Mr ELFERINK: Why?

Minister Malarndirri McCARTHY: Because we believed that was the process that we sort of agreed on from that June meeting, informally. But there was no formal decision to say we will not prosecute.

May I say here to the committee, when we look at in hindsight, when we look at the decisions that were taken, my focus was clearly on the disconnect between the agencies and the concern that this kind of issue that was occurring at Mataranka could also be occurring at any numerous stations, or any places across the Northern Territory where issues of neglect might be happening if the officials were not communicating with each other.

Now that focus was fairly strong, and in hindsight, other decisions could have been taken, and I certainly recognise when I look at those couple of months where we could have made different decisions, I certainly think that that was the opportunity to have been able to do it. But again, it is only with hindsight that we can look at that.

Mr ELFERINK: All right. So, I mean, what your answer has basically been is that you've realised there's administrative problems in the Department?

Minister Malarndirri McCARTHY: And that my focus was ...

Mr ELFERINK: Was on those problems.

Minister Malarndirri McCARTHY: ... specifically on those problems.

Mr ELFERINK: Yeah. Which then leaves hanging in space the decision whether or not to prosecute, and then you've now told us there was no clear decision.

Minister Malarndirri McCARTHY: Well based on ... based on, Member for Port Darwin, based on the belief that we would get the Ombudsman's Report in time.

Mr ELFERINK: Yeah. But you had a briefing very early in the piece but ...

Minister Malarndirri McCARTHY: I can keep going ...

Mr ELFERINK: ... what prevented ...

Minister Malarndirri McCARTHY: ... we can keep going around in circles, Member for Port Darwin ...

Mr ELFERINK: What prevented you then ...

Minister Malarndirri McCARTHY: ... but that's really what it was.

Mr ELFERINK: ... what prevented you from initiating your own departmental investigation?

Minister Malarndirri McCARTHY: There was nothing to prevent us doing that.

Mr ELFERINK: Why didn't you?

Minister Malarndirri McCARTHY: We relied completely on the current situation as it stood.

Mr ELFERINK: So why didn't you commence a departmental investigation?

Minister Malarndirri McCARTHY: That is where we look at our error of judgment and that was completely an error of judgment.

Mr ELFERINK: Did you ever instruct your department to commence an investigation?

Minister Malarndirri McCARTHY: An investigation commenced with Ray Murphy once the Ombudsman's Report came down. I did not instruct the department prior to the Ombudsman's Report coming down.

Mr ELFERINK: Why did you wait so long when there was clear evidence of animal maltreatment to even engage Ray Murphy?

Minister Malarndirri McCARTHY: I think what we were looking at was ... again as I said, the complete disconnect within the agencies. It was a terrible situation. I recognise that not only was it about the lack of communication within the agencies and the resourcing that was required within the Animal Welfare Branch. I also recognise that the Animal Ethics Committee of Charles Darwin University, the fact that there were issues going on there that we, under our legislation, had no input whatsoever, or could not impact on in any way. And again that disconnect was quite clear in that area as well as government agencies and non-government agencies. The complete disconnect from the beginning to the end of this whole process was where I was completely focussed on.

Mr ELFERINK: It's been clear so far that one of the major problems is the lack of investigatory skills inside the Department.

Minister Malarndirri McCARTHY: Yeah, that's right.

Mr ELFERINK: Now I know you've addressed those now.

Minister Malarndirri McCARTHY: That's right.

Mr ELFERINK: Why didn't you just call the police and ask them for help?

Minister Malarndirri McCARTHY: A very good question. You asked that question in estimates and we should have, we could have and we didn't, Member for Port Darwin.

Mr ELFERINK: All right. So would it be a fair thing to say then, and I don't want to place words in your mouth, but I seek a response, would it be fair to say that it was simply inexperience that led to this oversight in relation to a prosecution?

Minister Malarndirri McCARTHY: I would certainly say that inexperience and certainly a disconnect in communication, and thirdly a belief that someone else was doing something.

Mr ELFERINK: Were you aware that one of the very first vets to investigate, or look at what was happening at Mataranka, one of the DoR vets, recommended a prosecution at the very outset?

Minister Malarndirri McCARTHY: No, I was unaware of that.

Mr ELFERINK: Were you also aware that this was the second time that that vet or vets from the Department of Resources had visited Mataranka because they

had actually visited Mataranka a year earlier arising out of concerns for animal welfare issues?

Minister Malarndirri McCARTHY: I was unaware of that, Member for Port Darwin.

Mr ELFERINK: Okay. DoR obviously doesn't come under your portfolio, does it?

Minister Malarndirri McCARTHY: No, it doesn't.

Mr ELFERINK: Whose portfolio is it?

Minister Malarndirri McCARTHY: The Member for Casuarina, Kon Vatskalis.

Mr ELFERINK: Was he the Minister at the time?

Minister Malarndirri McCARTHY: I believe he is and was, yes.

Mr ELFERINK: Who preceded you as in your portfolio area?

Minister Malarndirri McCARTHY: The Member for Daly, Rob Knight.

Mr ELFERINK: Okay. When he ... was there some sort of handover when the portfolios changed? Did you brief each other?

Minister Malarndirri McCARTHY: Usually what happens, Member for Port Darwin, it's the agencies that bring the briefs for the new Minister, and in this particular case I certainly received my briefs from the agency.

Mr ELFERINK: So you had no discussion with Rob Knight about what was happening at Mataranka?

Minister Malarndirri McCARTHY: Usually there's discussion around the Cabinet table, I can't say specifically, you know, and our focus on what part of the portfolios but we're always discussing issues generally about the Cabinet table.

Mr ELFERINK: All right. So the overall position is a lack of experience led to this decision, in fact no decision was made, it simply morphed in to an administrative problem and nobody actively said, yes, I'm going to make a decision, no, I'm not going to make a decision, and we were just dealing with the situation at hand?

Minister Malarndirri McCARTHY: Look, Member for Port Darwin, I certainly go back to my previous response and say a lack of experience, a certain belief that someone else was doing something else, and the disconnect between the agencies officers and all government agencies played an incredible part in the whole tragic saga.

Mr ELFERINK: Would you go so far as to say that your own lack of experience in relation to these sorts of things also led to this outcome?

Minister Malarndirri McCARTHY: I believe as Ministers we're always learning as we go, Member for Port Darwin. I certainly look over this time and look at areas where I know that different decisions could have been made. But I also understand

that the decisions that I made were made with all the information that I had with me at hand.

Mr ELFERINK: So do you accept the concept that in this instance the buck stops with you?

Minister Malarndirri McCARTHY: I accept that there are responsibilities within the *Animal Welfare Act* and the administering of that *Act* that I have responsibilities for. I also accept that there are many others with ... outside the *Animal Welfare Act* who played a crucial role in this that also need to examine their own roles and responsibilities.

Mr ELFERINK: Are you satisfied with your own performance in hindsight?

Minister Malarndirri McCARTHY: I'm certainly satisfied with the fact that I made decisions based on what was given to me at the time, Member for Port Darwin. As always, with hindsight, you can look back and perhaps think that other decisions could have been made, but there were things that I certainly was unaware of until the process moved along.

Mr ELFERINK: Things you were unaware of?

Minister Malarndirri McCARTHY: As in, coming to the 21st of June to realise the enormity of some of the decisions, those sorts of things is what I mean.

Mr ELFERINK: Did anybody else make a recommendation to prosecute other than - that you're aware of - other than the Ombudsman's office?

Minister Malarndirri McCARTHY: I'm unaware of anyone, Member for Port Darwin. Yeah.

Mr ELFERINK: All right. I have no further questions, then.

CHAIR: Thanks, Member for Port Darwin. Gerry.

Mr WOOD: Thanks, Madam Chair. Minister, just on that particular issue of anyone else recommended. In our chronology of events it says that on the 14th of October, an unnamed officer notes contact with CDU and Sue Fitzpatrick from DoR suggested prosecution was being considered. Did you know that the Animal Welfare Branch was recommending as far back as the 14th of October that there should be prosecution?

Minister Malarndirri McCARTHY: This is 2009?

Mr WOOD: Nine. Yes.

Minister Malarndirri McCARTHY: I was not the Minister at the time, Member for Nelson.

Mr WOOD: Okay.

Minister Malarndirri McCARTHY: But I was certainly ... when I came in I was unaware of prosecution advice.

Mr WOOD: Then in... I think the Member for Port Darwin's mentioned it, the letter to Ken Davies from Meryl Gowing. In the summing up of that letter from Meryl Gowing it also says Dr Brian Radunz, Chief Veterinary Officer, DoR has never suggested taking legal action. Advised in discussions that his focus is on improvement, he does not consider that the situation at Mataranka Station was as serious as others suggest. Minister, do you think that perhaps those comments may have led to your department not pushing this issue as hard as it possibly should have been?

Minister Malarndirri McCARTHY: I certainly think those sort of comments go a long way towards conflicting decisions being made. And when we look back over many ... in fact, just reading the transcripts of your previous people who've sat before you, the confusion I think has been quite clear in some of those documents.

Mr WOOD: But if the Animal Welfare Branch knew that there was a serious issue, and we've also spoken to Meryl Gowing, who from listening to what she said, she's very passionate about her role as she was then the Director of Water Safety and Animal Welfare. If one of her members of her Department was recommending prosecution she is saying she is passionate about animal welfare, where did that go within your Department? I mean, does it just sort of go into, you know, after it went to Meryl, I would presume Ms Gowing knew that an unnamed officer had suggested prosecution, is there any ...

Minister Malarndirri McCARTHY: As in where did the document go or ...

Mr WOOD: Well, where did it go within the Department? Did it go to a level and someone made a decision, well, look, I know we've received advice showing us the Department of Justice had some concerns about whether prosecution would stand up. Meryl Gowing mentioned about photographs not having dates on them. Was there another layer above what the original recommendation to prosecution spoke about? Where did it move from there, or did it just ...

Minister Malarndirri McCARTHY: Well, it should have gone higher. If there was a conflict between any kind of judgment made, it should have gone higher in terms of those decisions.

Mr WOOD: Has the committee got any way of knowing ... I mean, we've received lots of ... we've received piles of paperwork, but it just seems to me strange that you've got two people that are passionate, an unnamed officer and obviously Meryl Gowing are passionate about animal welfare. One has recommended a prosecution yet it just seems to disappear in to the ether a little bit as to what happens in the department.

Minister Malarndirri McCARTHY: I can't answer where that may have gone, Member for Nelson, all I can say is that it's these kind of examples that show an incredible amount of work has had to be done in the Animal Welfare Branch to rebuild an efficient process and a confident process. All I can say is that if there are discussions being had at that level and people are unsure of what kind of outcome there should be, it should go much higher.

Mr WOOD: Look, I know that there's lots of questions that we still don't know all the answers for, but Minister, when you made your opening statement you said your Department is not blameless. The question I suppose then, well, who is to blame? And what concerns me, I suppose that you know, has anyone taken the

consequences for not doing their job? I'm not particularly picking on anyone, but what I'm ...

Minister Malarndirri McCARTHY: No, certainly.

Mr WOOD: ... concerned about is that no matter what department we're talking about, within the department people work within the *Act* and they have responsibilities and that's what we pay them for. Has there been a review of ... within the department of where things went wrong, as you said you weren't blameless, so has there been an internal investigation as to what went wrong within the department?

Minister Malarndirri McCARTHY: We've certainly been looking at the resourcing within the Animal Welfare Branch, Member for Nelson, in terms of a thorough investigation. I must say that I expect strong recommendations from this CTC to provide me with that.

One of the things that we've also had to look at is the review of the Animal Welfare Act, why that has been as slow as it has been, and also in terms of the Animal Ethics Committee. I'm certainly very aware that throughout this process that we need to look at how the monitoring of that committee should ... and should be somehow regularly monitored or improved included in the Animal Welfare Legislation. These are the sorts of connections that are not being made and where things have things fallen through. But in answer to your question, there is no thorough investigation going on right now.

Mr WOOD: Can I move to a slightly different area. You've mentioned the MOU but before we just get on to the MOU, this document which is the Animal Health circular for Department of Resources, distributed to livestock bio security officers, veterinary officers and senior meat industry officer, it's from the Chief Veterinary Officer. The subject is called the Animal Welfare Policy and Procedures. This document here, it's only recent, it clearly shows the role that each person ... it's actually an excellent document, I think there might be a few other things I would like to see, but it talks about, for instance, it's categorised, for instance, the assessments of livestock welfare complaints and they're critical, major and minor, and then it goes on to where it should be referred to and has reporting, investigation, prosecution. Has any similar policy and procedure document been done for your department?

Minister Malarndirri McCARTHY: None that are being done right now, Member for Nelson. In terms of past practices there are certainly ... there's certainly the Act itself to have a look at. But clearly we do need to improve and work on that.

What I'd also like to say to the committee is that the issue again ... and I do come back to the Animal Ethics Committee, I believe that part of the whole work of the AWB is to be able to obviously carry out the elements of the *Animal Welfare Act*. And one of the things that I certainly am aware of in terms of our problems as an agency is that the Animal Ethics Committee was working to a Code of Practice that has not been included in our Act. So these are the sorts of things where process wise I've known that we've got to fix this.

Mr WOOD: Thanks, Minister. Minister, in relation to the MOU, my concerns are that it hasn't got enough guts, and I'll explain why when I read Section 8 of the MOU is notification of animal welfare incidents and reporting. It says, "all animal welfare complaints including those involving livestock must be referred directly to the Animal Welfare Branch. When the complaint involves commercial livestock, the

Animal Welfare Branch will forward a written investigation request to Primary Industries who will investigate, report findings and recommendations to the Animal Welfare Branch”.

It just seems to me that (1) is there is no requirement as to when action should take place. So if someone referred a complaint to the Animal Welfare Branch, it doesn't say, for instance, how long before they actually take action.

And secondly is, if it comes from the Department of Resources, there's no timeline to say, for instance, as I said in this Animal Health circular, it talks about critical, it has various stages or categories of urgency, critical, major, minor, but there's nothing in here to say that they will take action immediately. They could put it on the desk, and that's one of the concerns that I have, because the recommendations that the Department of Resources has made was that there should be prosecution. It went up to a level within the Department of Resources and we don't really know much about what happened after that. So do you think that this MOU is a nice document but needs a bit more teeth, because I think you'll end up with the same problem as before, when no-one might be answerable.

Minister Malarndirri McCARTHY: Yeah. Member for Nelson, the MOU will not be enough. I would like to think that with recommendations from the CTC we can see how we can strengthen that kind of relationship. But let me remind Members that this first step was always about bringing agencies together. And any MOU and any agreement can only be as good as the people who are willing to make sure that it is efficient and works well.

I can say that since the MOU has been signed, that arrangement between agencies in both my department and DoR has been very good. They have moved to improve as much as they can in terms of their own communication and working relationship, and that just recent examples that they've been able to achieve things on a very positive note. But I would say that I would hope to think that from your recommendations as an inquiry, that we could look at how that can be strengthened formally.

Mr WOOD: Minister, again a slightly different note, in relation to the Charles Darwin University, did the Charles Darwin University through any of its staff, have direct contact with your department in relation to this incident? And when did they first have that close contact?

Minister Malarndirri McCARTHY: I can't give you a time or date in terms of that timeline. I'm very happy to take that on notice because there would have to be some kind of relationship in terms of the licensing. The Animal Welfare Branch obviously provides the licences and Professor Bob Wasson was a licensee, so there would be a relationship of sorts and I'm happy to take that question on notice to identify the timeline.

CHAIR: Can you just repeat that question please, Gerry?

Mr WOOD: Minister, could you inform the CTC as to when you first had, or your department had contact with Charles Darwin University in relation to licensing issues in regards to the Animal Ethics Committee? That'll do for the moment. I need to expand on that question so I'll ...

Minister Malarndirri McCARTHY: And if not in the chronology.

Mr WOOD: ... come back to it. The reason I asked the question was not so much about the licensing but I'm happy to take that question on notice. But was in relation to ... did they speak to you at any stage about the reports of cruelty at the Station?

Minister Malarndirri McCARTHY: CDU? I recall having a meeting with Professor Barney Glover about another issue, and I need to confirm the date of that meeting for you, Member for Nelson. At the end of that particular meeting, which was not about Animal Welfare it was a completely different meeting, he did say that things were improving at Mataranka. I just left it at that.

Mr WOOD: So the CDU didn't sort of speak to the department about improvements to what was happening at Mataranka as a means of sort of ... I suppose in the light of what Dr Radunz had said that things were going well. As also that's a means of saying, well, we're moving on but avoiding the discussion about what really happened in September.

Minister Malarndirri McCARTHY: There had to have been meetings. Actually, Member for Nelson, I do have the dates if you like of two times that I met with Barney Glover if you'd like me to just let you know.

CHAIR: Thanks, Minister.

Minister Malarndirri McCARTHY: 14th of July 2010 and 6th of October 2010. There would have to be, Member for Nelson, ongoing discussions between my agency and CDU and happy to provide that timeline with those discussions because clearly there would have had to have been monitoring of what was going on.

Mr WOOD: Minister, you didn't see any pressure from the CDU to say, look, you know, it's all been fixed up, everything's okay, you know, can we move on?

Minister Malarndirri McCARTHY: Member for Nelson, I've always made it clear that that kind of pressure is not important to me. What I was concerned about, as I said from the outset, that there was a clear disconnect between agencies and there was a clear disconnect between those non-government agencies in this whole process and I wanted it fixed. [Phone rings] Sorry. I thought I turned my phone off.

Mr ELFERINK: Can I just jump in very quickly?

CHAIR: Yeah. I'll just get this phone turned off first.

Minister Malarndirri McCARTHY: I did turn it off. [Laughs]

CHAIR: Member for Port Darwin has another question.

Mr ELFERINK: Yeah. Thank you.

Minister Malarndirri McCARTHY: Sorry about that.

Mr ELFERINK: Minister, just very quickly, you just said you met with Barney Glover on the 14th which was seven days before you received the ministerial group that you signed ultimately on the 26th. Why did you meet with him on the 14th when you've just told this committee that you didn't realise how serious it was?

Minister Malarndirri McCARTHY: This is 14th of July.

Mr ELFERINK: July. So, okay. I misunderstood.

Minister Malarndirri McCARTHY: After the briefing.

Mr ELFERINK: Sorry for my mistake.

Minister Malarndirri McCARTHY: No, you're all right.

Ms PURICK: Oh Minister, just a few questions. Minister, in your opening statement, and I think subsequent comments, you have mentioned the disconnect between agencies, which I accept, and also possible lack of experience from people internal of your department. For every major incident, which this was, there's probably any number of contributing factors that help understand what happened, why it happened, and how we can make sure it never happens again. Do you see any other contributing factors or issues other than those two you've mentioned? I mean, clearly there is a lot, and there's a lot of enquiries but ...

Minister Malarndirri McCARTHY: Absolutely, Member for Goyder.

Ms PURICK: I'll be interested to know how you view it?

Minister Malarndirri McCARTHY: I am very troubled by the fact that an Animal Ethics Committee can be in the Northern Territory and not really be monitored or really regulated in any way by our own Act in the Northern Territory. It disturbs me to the point where I will be writing a submission to the current inquiry in terms of the Code, the Code that the Animal Ethics Committees around Australia work towards. There is a review currently which I will be writing to expressing my concern that there needs to be lessons learnt from our experience here in the Northern Territory at a national level.

Ms PURICK: Okay. Thank you. Minister, and I may have just been seeing shadows here, you said something along the lines that there might be other issues out there in regards to animal welfare.

Minister Malarndirri McCARTHY: That's right.

Ms PURICK: Do you have concerns that there are potential ...

Minister Malarndirri McCARTHY: My immediate ...

Ms PURICK: ... other issues like Mataranka?

Minister Malarndirri McCARTHY: My immediate concern, Member for Goyder, when I recognised the complete disconnect was that if we had ... were struggling very much with Mataranka what other places were we struggling with that we were unaware of because of the disconnect.

Ms PURICK: Yeah.

Minister Malarndirri McCARTHY: And I was absolutely focused on that, mindful of the fact that here I was waiting for the Ombudsman's Report and I wanted to make sure there was other areas of the Northern Territory that we were just not abrogating in our responsibilities.

Ms PURICK: Okay. Minister, if and when we get an abattoir in the Top End, does your department oversee the animal welfare of that kind of development?

Minister Malarndirri McCARTHY: Not the development.

Ms PURICK: So not the development, the care of the animals whilst they're travelling to and in the holding yards?

Minister Malarndirri McCARTHY: Absolutely. We have, even now with the live cattle export ban that was on and has been lifted, every day we were monitoring all the cattle in the yard here in ... at the wharf and we continue to do that because it is under our obligation under the *Act* to do that until obviously the cattle are shipped off shore.

Ms PURICK: So you have confidence that your department is now equipped with the necessary personnel qualified and resources ...

Minister Malarndirri McCARTHY: Oh, I'm very confident.

Ms PURICK: ... to assist a development such as the abattoir ...

Minister Malarndirri McCARTHY: I'm very confident that the department has moved as efficiently as it can to improve the resourcing in that area. I've certainly instructed on many occasions from that meeting in June that everything had to change.

Ms PURICK: Minister, thank you. You indicated that apart from the loss of stock that there's been a lot of people badly affected by this incident. Are you aware that TIO's looking at the Charles Darwin University in regards to their high number of workers' compensation cases?

Minister Malarndirri McCARTHY: I'm completely unaware of that, Member for Goyder.

Ms PURICK: Okay. Ta.

Mr ELFERINK: A couple more? Oh sorry.

CHAIR: Gerry and then John.

Mr ELFERINK: You go. After you, Gerry.

Mr WOOD: Yeah. Minister, as you know, we sent out a range of questions that you might be able to answer.

Minister Malarndirri McCARTHY: Sure.

Mr WOOD: But one here that I think we missed at the moment is what is the Government's policy on prosecution presently under the *Animal Welfare Act*? In other words, does it have a policy to go and prosecute, or does it have a policy to go and try and work through an issue, find out if the matter in hand can be addressed and not necessarily prosecuted. So is there a policy in relation to incidents within the *Animal Welfare Act*?

Minister Malarndirri McCARTHY: Look it is ... individuals can bring that forward to the Animal Welfare Branch. We are obviously concerned with monitoring the *Act* and regulating the *Act*, and if a prosecution is required then that's what we should be doing.

Mr WOOD: I need ... I'm just going back, so we move back and forwards. Land Line had a program the weekend before last in which the Deputy Ombudsman, Julie Carlsen, made the statement that she believed there should be prosecution and I think in the Landline report it said that she was, in a previous life, a police officer. If she, as an ex-police officer, Deputy Ombudsman said that there should have been prosecutions, is she right to say that prosecutions could have occurred, or should have occurred, and is your Department saying she's wrong, that that wasn't possible?

Minister Malarndirri McCARTHY: Julie Carlsen is right, a prosecution should have taken place and it didn't.

Mr WOOD: So you're simply saying that your Department didn't do the work required for a prosecution to happen?

Minister Malarndirri McCARTHY: When we look back to the 21st of June discussion there was a firm view that waiting on the Ombudsman's Report was the correct way to go. And what my focus and the departments was, was to improve the disconnect that was quite clearly hampering our processes within government.

Mr WOOD: So there wasn't any sort of body, any section of your department that was also gaining evidence in readiness for the Ombudsman's Report because Sue Edwards said some ... through emails sent notification with some politicians which was mentioned in the Landline report, but also photographs. So, you know, bearing in mind that you'd had a briefing from the Ombudsman, and bearing in mind that you're waiting for that final report to come out, and bearing in mind that the Ombudsman was saying, look, you know, we think there should be prosecutions, the department wasn't doing anything to sort of get that ready knowing also that there was only a limit of 12 months from when the incident occurred to when prosecution could start. So there was just a vacuum?

Minister Malarndirri McCARTHY: There was not enough being done, Member for Nelson. The agency was doing what it could but clearly not enough was being done in terms of preparing for that.

Mr ELFERINK: In fact, you yourself have just described it as you were on a learning curve essentially, so whilst people are learning and struggling in the department, cows died, prosecutions are overlooked?

Minister Malarndirri McCARTHY: What was happening in this particular case was that we could certainly look with hindsight, Member for Port Darwin, that different decisions could have been taken.

Mr ELFERINK: Yeah. All right. Just getting on to the future now, because the future is important. Currently there are hundreds of thousands of cattle sitting on Territory Pastoral Leases, some of them will not be economic to truck down South, especially if the meat price falls any further down South. It is still unclear as to when the live export trade is going to start.

The circumstances that led to the death of hundreds of cattle at Mataranka Station could well be being playing out on cattle stations right across the Northern Territory. If cattle producers choose not to shoot, for whatever reason, their cattle which are uneconomic, or go over the 350 kilogram limit so they can't be exported, if they're allowed to export, what are you going to do to ensure that these cattle on these stations do not suffer, and how are you going to cope with it?

Minister Malarndirri McCARTHY: Okay. Two answers, or two parts to that question, if I may answer. Firstly, Member for Port Darwin, there is no doubt that what has happened at Mataranka has made everyone aware of the vigilance that is required in the care of animals right across the Northern Territory. That's the first thing.

Secondly, that there is also a recognition that between both my agency and DoR that this is of concern across the Northern Territory with the cattle in regards to live cattle export and what could possibly be pretty horrific scenarios. So we're very much being vigilant across that.

And thirdly I guess, is the understanding within the Department that going back to one of your questions both at estimates and here is that we also have the police, and that can be called on and there is that understanding as well should that be required. So there is a greater vigilance, certainly a greater understanding and awareness that no-one should drop the ball on this.

Mr ELFERINK: Okay. If, let's say, that there's a decision by cattlemen, and we've already heard it now annunciated on several occasions, the cattlemen are going to start shooting their cattle. Do you have any oversight role in that?

Minister Malarndirri McCARTHY: It's on ... look, that is an important question. I've had a look at it in terms of the Act, but also recognising that that is something that producers obviously have a right to do in terms of ... on their own particular stations.

Mr ELFERINK: Yeah, but is ... I'm starting to get a bit nervous here. What oversight will you, will your department have if producers are forced down that line?

Minister Malarndirri McCARTHY: Going back to your previous question, I thought I answered that, Member for Port Darwin, in that there is a greater vigilance across the Northern Territory, both within my agency and DoR with the inspectors and the officers, and ...

Mr ELFERINK: What do you expect them to actually do?

Minister Malarndirri McCARTHY: Their job.

Mr ELFERINK: Which is? How are they going to oversee it, are they actually going to travel to these places or ...

Minister Malarndirri McCARTHY: What currently happens, Member for Port Darwin, which is more under DoR, and that is that there are livestock inspectors who are always on the road, and always in communication with cattle stations and with the Northern Territory Cattlemen's Association. Luke Bowen, the CEO of the Cattlemen's Association is also on the Animal Welfare Advisory Committee and there is greater awareness and vigilance now that we all need to be communicating much more efficiently.

Mr ELFERINK: Yeah. But what are they actually going to do? I mean, if they do travelling ...

Minister Malarndirri McCARTHY: Exactly what I've said.

Mr ELFERINK: ... what oversight role with they have?

Minister Malarndirri McCARTHY: Exactly what I've said, Member for Port Darwin, that they're travelling.

Mr ELFERINK: I mean, do you expect them to actually go to these things and see this stuff being done if it happens? Do you expect them to be launching prosecutions if pastoralists aren't shooting their cattle and allowing their paddocks to get bogged out? What do you expect?

Minister Malarndirri McCARTHY: Member for Port Darwin, these men and women are conducting their jobs now as they travel across the Northern Territory under DoR as livestock inspectors and officers, and clearly if there are issues they will do and push through the chain in a much more efficient way what needs to be done, and whatever that may be. I mean, this is clearly hypotheticals, but I'm telling you that the process has now been recognised in terms of ...

Mr ELFERINK: According to Chris Young, it's beyond hypothetical from the ... Chris Young from the Chamber of Commerce, it's more than hypothetical, it's actually happening. Has your department had any oversight role on these things so far? Have they been informed?

Minister Malarndirri McCARTHY: Member for Port Darwin, we certainly made enquiries in to Chris Young's comments and I can provide the Council for Territory Co-operation that response if I may take that on notice.

Mr ELFERINK: Yes, well, if you'd like we can put the question on notice.

Minister Malarndirri McCARTHY: Sure.

Mr ELFERINK: Could you describe to us what the department has actually done to investigate the comments made by Chris Young in relation to cattle being shot?

Now returning back to that issue, you expect people to do their job, what is their job when it comes to overseeing these sorts of things? How are they actually physically going to do it? Do you expect them to stand there next to a cattleman and make sure that they do this, shoot the cattle cleanly and efficiently? I mean, what exactly is your department's role in this when it comes to the welfare issues?

Minister Malarndirri McCARTHY: My department's role is that to be able to go on to any of these properties, clearly they need to have someone from DoR. I would expect my department and DoR to be discussing very closely what steps they need to take, Member for Port Darwin. I can't give, you know, down to, you know, examples of what should happen on each station. What I expect as Minister for my agency is that they are working closely with their colleagues and counterparts in the correct agency which is DoR.

Mr ELFERINK: Have you got a policy or a document in place within ... or has your department got a policy or document in place specifically to deal with this issue?

Minister Malarndirri McCARTHY: What we do have in place is the recognition that inspectors and officers need to be working together, Member for Port Darwin.

Mr ELFERINK: This is a ...

Minister Malarndirri McCARTHY: What I did ... sorry, but if I may finish, what I did say to the earlier question by the Member for Nelson when he asked a similar question is that I would like to think that what comes out of this inquiry will be able to better strengthen whatever particular documents and processes that we currently have.

Mr ELFERINK: Well, this is a real and emerging problem. What we do know from Mataranka is that healthy cattle go to very unhealthy cattle very quickly, it only takes a couple of months. This committee won't report until October.

Minister Malarndirri McCARTHY: But you've asked about a document, Member for Port Darwin.

Mr ELFERINK: Well, do you have a policy ...

Minister Malarndirri McCARTHY: I've said that we will be waiting for any further advice from this inquiry in terms of that document. What we are currently doing, what the practice is, which we've improved on in the last six months, is to improve the communication and dialogue between these agencies, and that's what's going on.

Mr ELFERINK: What concerns me is there is no document dealing with this very real and emerging issue. We've had cattlemen in Western Australia threaten to shoot cattle, certainly the comments by Chris Young are concerning. Other cattlemen have said that if we do not get these cows off to market we will have to shoot them in the paddocks where they stand. And your response so far is to be, well, we expect everybody to do their job and we'll wait for the committee to give us some suggestions.

Minister Malarndirri McCARTHY: Member for Port Darwin, don't be so flippant on this please.

Mr ELFERINK: I'm not being flippant.

CHAIR: Member for Port Darwin ...

Minister Malarndirri McCARTHY: You are being flippant.

CHAIR: Member for Port Darwin. Just allow the Minister to answer the question again.

Minister Malarndirri McCARTHY: You are being very flippant, Member for Port Darwin.

Mr ELFERINK: No, I'm being deadly serious.

Minister Malarndirri McCARTHY: I have responded to a very similar question by the Member for Nelson on a document. I recognise the MOU is the strongest document that we have. Now that is the document that we have that encourages members in both agencies to work together to obviously be there to give support where they can to these cattle producers out there. They are ... please do not belittle the members of the agencies to think that they do not know what their job is on the ground and how they can work with people out there.

Mr ELFERINK: But what are your decisions? What are your directions?

Minister Malarndirri McCARTHY: That's not your question. Your question was about the document and what kind of document there was, Member for Port Darwin.

Mr ELFERINK: And apparently there is none.

Minister Malarndirri McCARTHY: I have just responded. The MOU is the document that we have. I said that in my earlier response to the Member for Nelson.

Mr ELFERINK: The MOU was drafted before the ban on live exports was dropped.

Minister Malarndirri McCARTHY: The MOU clearly articulates that there has to be better communication between these agencies and officers which is what was lacking.

Mr ELFERINK: But you have a very specific and emerging issue and you can't table so much as a sheet of paper as to what your response is going to be ...

Minister Malarndirri McCARTHY: Member ...

Mr ELFERINK: ... to this very real and emerging issue.

Minister Malarndirri McCARTHY: Member for Port Darwin, the agencies in terms of my agency and the Department of Resources have inspectors and officers who know their jobs ...

Mr ELFERINK: Have you give any instructions ...

Minister Malarndirri McCARTHY: ... who know that they need to communicate and go out and work with these areas.

Mr ELFERINK: Have you given any instructions ...

Minister Malarndirri McCARTHY: I believe I've answered your question.

Mr ELFERINK: Have you given any instructions to your department in relation to the issue of overstocking as a result of the ban on live exports? If so, can you table it?

Minister Malarndirri McCARTHY: Member for Port Darwin, I have certainly instructed my department to make sure they are being vigilant in terms of the cattle that have been here in the yard and they are certainly very aware of the fact that we need to be incredibly vigilant across the Northern Territory. I am happy to table whatever documentation that we may have.

Mr ELFERINK: And what about the cattle that are still sitting on the pastoral leases?

Minister Malarndirri McCARTHY: I've just answered that question, Member for Port Darwin.

Mr ELFERINK: Well, you've said the yard and the wharf.

Minister Malarndirri McCARTHY: And cattle across the Northern Territory.

Mr ELFERINK: Across the Northern Territory. Could you table all of the appropriate documents ...

Minister Malarndirri McCARTHY: I am happy to table them.

Mr ELFERINK: ... and instructions that you've given in relation to that for us, please?

CHAIR: Do you want to put that as a question for Hansard please, so we're very clear about this because we've got five minutes remaining and the Member for Nelson has questions.

Mr ELFERINK: All right. For the record. Questions for the Minister, please table all documents and instructions made by the Minister to her department in relation to the emerging issue of cattle on pastoral leases as a result of potential overstocking from the ban on live cattle exports.

CHAIR: Gerry.

Mr WOOD: Thank you, Madam Chair. Look, I was interested in what the Member for Port Darwin was saying, but obviously this is an issue that's been all set down previously to the present state of being on live cattle exports, but I noticed in Part 6, Clause 67 of the existing *Animal Welfare Act* it says that it's fairly clear that if an authorised person is of the opinion that an animal is so severely injured, diseased or in such a poor physical condition it's cruel to keep it alive, and it goes on to say the authorised person may destroy the animal or cause it to be destroyed in a manner that will cause it to die quickly and without unnecessary suffering.

It also says that, I think, I might be reading this slightly backwards, but it says under the Division 2 of the *Animal Welfare Act*, Section 22, if a veterinarian of the opinion, is of the opinion that an animal is so severely injured, diseased or in such a poor physical condition that it's cruel to keep it alive. Then it goes on, the veterinarian may destroy the animal or cause it to be destroyed in a manner that causes it to die quickly and without unnecessary suffering.

Minister, does that say that a veterinarian can authorise a station owner to shoot cattle if because of their physical condition it's cruel to keep it alive?

Minister Malarndirri McCARTHY: I understand it is.

Mr WOOD: I just thought I'd make that clear. So I think that there is at least legislation out there that does allow, much as we don't want it, if it comes to the crunch because of what I believe is a terrible Commonwealth decision, that at least under the *Act* it is covered.

Minister Malarndirri McCARTHY: To alleviate suffering of animals. Yes, Member for Nelson.

Mr WOOD: But in your review, I notice the *Animal Welfare Act* Review discussion paper, 2nd of September 2009, it mentions an area that may also be something that has to be looked at, is the culling of feral animals. So is that an area that you're also looking at in relation to cruelty? I mean, where does the cruelty begin and end? In other words, if it's a dog that's a feral animal and it's dying of starvation ...

Minister Malarndirri McCARTHY: Well, look, it's a good question. I'd like to talk about it with members of the Animal Welfare Advisory Committee. I mean, I think of a previous politician who liked to hit cane toads with a golf stick and you sort of wonder, well, you know, where does the cruelty start here and what is considered an animal ... under cruelty under the *Act*. So there are many variations to it, Member for Nelson, but I can't answer specifically on that.

Mr WOOD: So is there ... we had a definition of cruelty ...

Minister Malarndirri McCARTHY: Absolutely.

Mr WOOD: Because is there ...

Minister Malarndirri McCARTHY: Absolutely. I can ...

Mr WOOD: Is starving an animal maltreatment as against belting an animal which most people would say was cruel.

Minister Malarndirri McCARTHY: I think it comes more under what the legal definition would be, Member for Nelson, in whatever the circumstances are. So I'm happy to, you know, get that further defined answer for you and the Members of the committee in terms of your inquiry. But again, you know, clearly you see an animal that's not looking good and not looking well fed and nourished, there is obviously reason for concern. Yeah.

Mr WOOD: So in the case of the Mataranka cattle, if they were starving, is it regarded as a matter of cruelty or is it regarded as a ...

Minister Malarndirri McCARTHY: Neglect.

Mr WOOD: ... matter of maltreatment or, you know, mismanagement.

Minister Malarndirri McCARTHY: It would be taken first as a concern about neglect, Member for Nelson, and then with obviously the inspectors who then go in and officers for them to determine just what the actual terminology is in regards to that particular animal or animals. And from there the process would be taken.

I think one of the things that I've certainly looked at in terms of reading through the Ombudsman's report and even with Ray Murphy in his investigation is that when you look at the cattle and the concerns that were raised towards the end of 2009, the fact that in successive briefs when I've gone back over to have a look at that time period between December and June, there was a firm view that the cattle were then being fed, there was trucks of hay being taken out, there were attempts to fatten the cattle therefore that is then viewed as the cattle are now satisfactorily moving

towards a better state of being. And that's where I think the grey area always is. The move to actually improve the cattle and then at what point is the neglect and the cruelty identified.

CHAIR: Okay. Thank you very much. We have reached 9 o' clock so we do need to end it there.

Minister Malarndirri McCARTHY: Can I just again thank the committee. I certainly sincerely welcome this inquiry and I certainly wish you the best. May I also urge you to, in your overall recommendations, please do have a look at the AEC and the governance of those sides of things in terms of the Northern Territory Act. Thank you.

CHAIR: Minister, and we thank you for accepting our invitation to appear today and to give evidence. It is an important investigation. This is day four and of course we continue this afternoon at Mataranka and Katherine tomorrow. So thank you very much, Minister.

Minister Malarndirri McCARTHY: All the best.

Mr ELFERINK: And can I just add, thank you. It is unusual for Ministers, in fact unheard of for Ministers to front the committees. I know it's not much fun, but you've shown a lot more ticker than some of your colleagues.

Minister Malarndirri McCARTHY: Member for Port Darwin, I sincerely do believe that each of you on this committee will be able to achieve an outcome that will be for the best for the people of the Northern Territory. And I wish you well.

Mr WOOD: And could I just say, Madam Chair, that the Minister actually before ... we had a letter from the Chief Minister volunteered to come to this committee meet so I think that's ...

Mr ELFERINK: That's what I mean.

Mr WOOD: ... it should be taken on note. Thank you.

CHAIR: Thanks, Minister. And we'll get a copy of the transcript to you as soon as it's available and we look forward to receiving those responses to the questions on notice. Thanks very much.

Minister Malarndirri McCARTHY: Thank you.