NORTHERN TERRITORY OF AUSTRALIA

LEGISLATIVE ASSEMBLY

Fifth Assembly
First Session

PARLIAMENTARY RECORD

Tuesday 20 February 1990
Wednesday 21 February 1990
Thursday 22 February 1990

Tuesday 27 February 1990
Wednesday 28 February 1990
Thursday 1 March 1990

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Government Printer of the Northern Territory

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Fifth Assembly
First Session

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PART I

DEBATES

Tuesday 20 February 1990

Mr Speaker Dondas took the Chair at 10 am.

MOTION OF CONDOLENCE
Donald Francis Dale

Mr SPEAKER: It is with deep regret that I have to advise honourable members of the death on 13 February 1990 of Donald Francis Dale, a former member of this Assembly for the electorate of Wanguri and a former minister of the Crown.

Mr PERRON (Chief Minister): Mr Speaker, I seek leave to move a motion of condolence in relation to the death of Donald Francis Dale.

Leave granted.

Mr PERRON: Mr Speaker, I move that this Assembly express its deep regret at the death on 13 February 1990 of Donald Francis Dale, member for the electorate of Wanguri in the Northern Territory Legislative Assembly from 3 December 1983 to 27 July 1989, former alderman and Deputy Lord Mayor of Darwin City Council and a minister of the Crown from 15 May 1986 until 27 July 1989, and place on record its appreciation of his long and meritorious service to the Legislative Assembly and to the Northern Territory, and tender its profound sympathy to his family.

Mr Speaker, I wish to publicly acknowledge and record the government's appreciation for the outstanding and enduring contribution of the late Don Dale. His untimely death on 13 February was a sad day for the Northern Territory. Don Dale was an outstanding minister who worked every hour he could for those for whom he was responsible as Minister for Health and Community Services. He was concerned particularly for the sick and the disadvantaged and it was a true measure of the man that, when struck down by terminal cancer, with the knowledge that he had only a short time left, his concern was still for others rather than for himself and he continued in office until confined to his hospital bed.

We are all well aware of his strong performance in this Legislative Assembly but, well before his election to parliament in December 1983, Donald Francis Dale had made his mark in other fields. His courage and strength of character during his last days was an inspiration to us. In his own words, Don was a street kid who made good. He was born in Melbourne on 8 December only 45 years ago. I understand he did not see his father or mother from very early days and, at one stage, apparently when he was about 10 or 11, he lived in soft drink crates at the back of a cafe. He went to school - but not very regularly - at the Marist Brothers College in East Brunswick and the Prahran Technical College. Don's first job was selling newspapers and he picked up a bit of extra money from his takings by punting on the dogs and the trots. An avid football fan, he went on to play with Prahran A-grade side in the VFA. He also played a couple of games with Fitzroy in the VFL and remained a Fitzroy supporter for the rest of his life. It last won a premiership the year he was born and he was convinced that it would not win again until the year that he died. The team went pretty well last year, I understand, and therefore members may wish to put their money on it for the coming year.

Don Dale entered the Victorian Police Force in 1967 and, 2½ years later, he joined the Royal Papua New Guinea Constabulary. He travelled all through the country during his 4 years there and he had a lot of respect for the people of Papua New Guinea. He believed that, in order to work with them, it was important to understand their culture. On one occasion, I understand that he was in charge of some 20 officers who were sent to deal with 3000 tribal people who had gathered to fight each other. Under the circumstances, there was nothing he and his men could do but talk, and talk fast. Given his forceful way with words, as later demonstrated many times in this Assembly, it is perhaps not at all surprising that the fight was averted.

Don Dale came to Darwin and joined the Northern Territory Police Force in 1973. Although he spent only 2½ years in uniform here, he quickly made a name for himself and was commended by the Police Commissioner for his zeal, energy and perseverance in recapturing 7 escapees from Fannie Bay Jail. They were in the mangroves and Don was in the water up to his neck and, as he recalled later, he was not sure who was scared the most.

After leaving the police force, he went on to broaden his experience as a manager in private enterprise, first for 6 years with the Darwin Greyhound Association and then with the MLC insurance company. Like so many others, Don Dale became a Territorian to the core. He loved the Territory, regarded it as the best place in the world to be and set himself a personal goal of contributing to the Territory's development in public life. He nominated as a Darwin City Council alderman for Richardson Ward and was elected in 1978. He served on the council for 6 years, 4 of them as Deputy Lord Mayor.

When Ella Stack retired as Lord Mayor during his first year, he ran for the top position. But for the casting vote of the chairman, he would have become Lord Mayor himself. He did act as Mayor on many occasions and took justifiable pride in his achievements in local government. During that time, he was a member of many council committees, Chairman of the Management and Coordinating Committee and Treasurer of the Northern Territory Local Government Association.

In 1983, he won the seat of Wanguri for the CLP and entered the Legislative Assembly with a reputation that he had developed in the council as a tough, no-nonsense politician. It was clear that he had the capacity to go a long way in Territory politics and, in 1986, he was appointed Minister for Community Development, Minister for Correctional Services and Minister for Youth, Sport, Recreation and Ethnic Affairs, with added responsibility for museums and art galleries. It was a massive task to take on, but he did so with enthusiasm.

Barely a year later, he was appointed Minister for Health and Community Services and supervised the formation of the Territory's biggest government department. He had become responsible for more than a quarter of the total Northern Territory Public Service. It was a mammoth department, yet he managed to weld it into one that provided a wide range of integrated services. He expected and exacted high standards and won a great deal of respect for doing so.

Mr Speaker, many Territorians benefit today from our former colleague's many innovations and reforms. He quickly recognised AIDS as a grave threat to the community and it is due entirely to his persuasiveness and his straight and honest approach to unpalatable facts that the Northern Territory introduced the needle exchange program. Persuading his colleagues to accept needle exchange, which he did from a position of one against the

rest, has to be recorded as a very significant victory and a demonstration of the determination of this man once he adopted a course. Although sensitive to community feelings, he believed that, if the community attitude was not realistic, it was up to political leaders to try to make changes. He applied this approach with considerable effect in working with the experts to bring about improvements in Aboriginal services. He was also passionately concerned with the need to protect children and to prevent child abuse and worked relentlessly to make the Territory a safer place for our children.

In the area of correctional services, he was greatly concerned about issues such as the high rate of recidivism and the rehabilitation of juvenile offenders, and he took well-earned pride in introducing new programs such as the Community Service Order Scheme, the Home Detention Scheme and the Wildman River Camp.

Naturally, as a keen sportsman and sports fan, he took on his youth, sport and recreation responsibilities with much enthusiasm. Among his lasting achievements was the development of the concept of the Masters Games. At the same time, he also paid a great deal of attention to the needs of arts and ethnic affairs. In the community development field, he took a particular interest in the new Local Government Act which he had helped to develop whilst on the Darwin City Council.

Nationally, he was respected on both sides of politics, despite his often fierce disagreements with state and Commonwealth ministers. I am told that, at some ministerial meetings, if he and the federal minister, Hon Neal Blewett, agreed on something, the rest of the ministers would follow. Among his outstanding qualities was a keen sense of humour. Before being admitted to hospital for surgery last May, he made light of the situation by saying publicly that it was a great opportunity to experience the hospital services and facilities, but it was a method of inspection that he would not recommend to other Health Ministers.

Don Dale had a reputation for toughness and directness, but it was coupled with a fair and open mind. And behind the tough image was a man who cared deeply about people. As Minister for Health and Community Services, he worked every hour that he could to make life better for the sick and the disadvantaged who became his responsibility. While he worked hard and pushed hard for programs, policies and ideas that he believed were necessary, he always completely supported Cabinet decisions that went against him. He was a man who expected loyalty and support from those who worked with him and he gave his loyalty and full support in return. For someone who had had a hard start in life, Don Dale certainly paid back a great deal in concern for and service to others. His important contribution to the Territory and Territorians will remain a lasting memorial to an outstanding minister, a loyal friend and colleague, a remarkable man.

Members: Hear, hear!

Mr SMITH (Opposition Leader): Mr Speaker, we are here today to mourn a colleague and, equally importantly, I believe, to celebrate a life. I do not wish to repeat the history of Don Dale's life because that was very adequately covered by the Chief Minister. But what is clear is that, in a very personal and real sense, Don Dale typified the Australian dream. He did start from nothing and he did finish in a very important and powerful position. It is important that we realise that, in Don Dale's life, we have a very pertinent expression of the values of Australia which enable people

to move from a seemingly hopeless position early in their lives to a very important position indeed.

We, of course, saw him from the opposition's view, and I must say that we enjoyed jousting with Don Dale in this House. From our point of view, he was a blunt and determined man. He loved kicking heads, particularly Labor Party heads and he did that even in his last public appearance after the final sittings in the old Chamber last November. I can remember seeing his photograph afterwards in the newspaper. Even though he looked very sick, he was still having a crack at the Labor Party. I thought at the time that that typified the man as well.

In the Wanguri by-election, we certainly thought he was a wild card. In fact, we believed Don was so determined to stop Labor winning the seat that there was fair chance that he might even turn up on polling day. Certainly, a rumour swept through Labor Party circles that, on polling day, Don would be there with his wheelchair, his nurse, and all the necessary bottles and other attachments, campaigning for the Country Liberal Party. I thought at the time that, if that happened, it would be another indication of Don's strength of character and his commitment to the ideals that he thought important.

When he was wrong, he did not do what many of us do - he did not back off, but went in even harder. One of my most enduring memories of Don was when he was at the Darwin dump trying to convince us that the hospital's contaminated waste was being safely disposed of. I suspect most ministers would have shied away from that story and would not have gone down there to be seen with bottles of contaminated blood. But, not Don. He was convinced that he had the right solution - a necessary solution, in his view, at that time - and he was there defending his department and ensuring that the message was put across.

That fighting spirit obviously helped Don over the last few months. It goes without saying that it was a very difficult time for Don but you would never have noticed that from his public comments from the first time he went on television to the last time he went on television. He accepted his situation with grace and dignity. He accepted it with courage and fortitude and he was a symbol to the entire Northern Territory community of how to deal with adversity.

In terms of his contribution as a minister, there is no doubt that his single-handed fight on the CLP side to introduce needle exchange legislation will be his lasting monument. We know, and probably not as well as his colleagues, that he went through an enormous battle to have this humane piece of legislation accepted by his colleagues. It will be a lasting monument to his ability to take on issues that were initially unpopular, when he thought that they were right and proper and in need of introduction. We will all have the satisfaction of knowing that this single piece of legislation is likely to save more lives in the Northern Territory than anything else that we have done since self-government.

In relation to his cooperation with his department, from speaking to his departmental colleagues in the public service, I know that they saw him as an honest, hard-working person who, most importantly, judged people on their merits. He was not concerned about their political attitudes, about their sex, about their age or anything else. He was prepared to accept people on their merits and make a judgment on whether they performed on that basis, and on that basis alone. We have already heard from the Chief Minister of Don Dale's commitment to kids. Of course, from time to time, that got him

into trouble with his blunt and outspoken statements. In retrospect, I can accept that, although his choice of words may have been unfortunate from time to time, certainly his commitment to improving life for children in the Northern Territory and his commitment to dealing with the very touchy issue of domestic violence and violence against children was strong and genuine. As a result of that, we have a greatly improved situation in the Northern Territory for our kids.

Mr Speaker, on behalf of the opposition, I offer my condolences to Don's family. I can only guess at what they are going through at the moment. However, as someone said to me recently, it helps to have people express and celebrate a life as we are doing in this House today. Certainly, the Labor Party mourns a colleague - a colleague who has done extremely well in this House and who has also been a credit to the entire Northern Territory community.

Mr TUXWORTH (Barkly): Mr Speaker, I too rise to offer my condolences on the passing of a former parliamentary colleague and one with whom I might say it was quite easy to have a love-hate relationship, and many of us had that in our own different ways. The Chief Minister gave quite an insight a moment ago into Don Dale's background and much of that would be quite unknown to many people in the community, but many Territorians would identify with it because it epitomises the Territory character. He was someone who came from meagre beginnings and worked hard to become satisfied with what he achieved in life. I think it would be reasonable to say that Don Dale had achieved many things in his life that he was extremely pleased with and that he had fought hard to obtain.

Don Dale was a commendable adversary in parliament. As the Leader of the Opposition said, we all had our run-ins with him. He was a tremendous parliamentarian to joust with because you knew that, when you joined battle with him, it would be a good one and well worth the effort. Indeed, that is what our parliament is all about: the giving of our best and making our point as well as we can.

Personally, I have nothing but admiration for Don Dale's humour, his frankness about his condition when it overtook him, and the courage and strength that he displayed during the final days of his illness. I often think of the illness of cancer in terms of the expression, 'There but for the grace of God go I'. Very often, we have to face the reality that it is one of those illnesses that can take any one of us at any time, and I ask myself how I would handle it. If I had my chance, Mr Speaker, I think I would like to be able to say that I could handle it in the same way that Don Dale handled his illness. He did it with humour, as has already been mentioned. He was frank enough about the sickness and that gave many people who have had cancer courage in relation to the way they handle their own illness. The courage and strength that he displayed towards the end was, I think, an inspiration to all Territorians because it was undoubtedly a very painful and trying period.

Mr Speaker, my sympathy goes out to Don Dale's family and friends. I mourn his passing as a former parliamentary colleague and a member of this House. He made a terrific contribution in his own way and I will have no trouble in remembering him fondly.

Mr COULTER (Deputy Chief Minister): Mr Speaker, like all other members who have spoken before me, I start my contribution by speaking of the fighter in Don Dale. I admired the fighter in Don Dale above all. At

times, I could not agree with him on the issues and many times not even on the logic of his arguments, but Don Dale's commitment was absolute.

I remember being at Singapore airport on one occasion. I was waiting for an aircraft and another well-known fighter in Australian politics was waiting in the lounge with me. In fact, he was off to Moscow at the time. He was none other than Ironbar Wilson Tuckey. He had just been at a conference with Don Dale and he said to me: 'Who is this Don Dale fellow? I have just been to a ministerial conference with him and, gee, he is a hard man to argue with!'. For a man like Ironbar Wilson Tuckey to admit that is an indication of Don Dale's commitment to an argument.

In fact, my first contact with Don Dale involved an argument. The member for Koolpinyah will remember the time when the Rural Advisory Council in the outer Darwin rural area was concerned about a takeover bid by the Darwin City Council. At the time, Don was the Deputy Lord Mayor. In fact, a report had been prepared suggesting that the area to be administered by the Darwin City Council should extend as far south as Adelaide River. The member for Ludmilla was also on the council at the time and will no doubt recall those times. I had my first real conversation with Don Dale when people in the rural area were expressing their outrage at the prospect of having the Darwin City Council move into that area. Don and I argued in a telephone conversation. It was to be many months before I came face to face with him and I guess one of the reasons why I admired him and liked him was because, on the first occasion that I had dealings with him, he was screaming down the telephone at me. He never let up on that particular issue.

Another thing that I admired about Don was his approach to the implementation of many of the proposals which have been referred to here today by the Chief Minister and also by the Leader of the Opposition. There were many such proposals, some of them entirely new. In respect of the AIDS debate, whilst we do not speak about what happened in Cabinet or the party room, Don Dale started from a long way back. However, he was relentless. He did not give up and his proposals eventually went through. He was also relentless in pushing for innovations in relation to correctional services. He kept on arguing with people until he eventually convinced them.

Of course, there were many arguments which Don Dale did not win. However, when a decision was made in Cabinet, he always stood behind it and supported it. It amazed me sometimes. He would walk out the door and be arguing in favour of a Cabinet decision which he had actually opposed. He was a real fighter, Mr Speaker, and I am proud to have known him.

I remember speaking to the surgeon just after Don's last major operation. The surgeon said to me: 'In today's medical climate, with all the resources available to us, we have to ask what the end product is going to look like. We can keep cutting and we can use all the latest technology, and we can almost make the person whatever we want. The one thing that limits us is the heart and the person's ability to keep on living'. Don Dale must have had a heart about the size of a watermelon because, no matter what they did to him or what they took out of him, he just would not die. There was no way that he was going to die. He had this big thing about dying in hospital. In fact, I can assure the Leader of the Opposition that, during the Wanguri by-election, the Chief Minister had to talk him out of going to the polling booth in his wheelchair, with the bottles and the nurse. That is precisely what he wanted to do, and he certainly did not want to die in hospital.

Honourable members will recall, and the television footage is there for everybody to see, how Don Dale went to hospital for exploratory surgery soon after he had taken over the health portfolio. An interviewer commented: 'You will have the opportunity for a first-hand look at the hospital facilities'. Don said: 'There is one place I do not want to look at'. To his credit, he never did. Of course, he was referring to the morgue. He never wanted to die in hospital.

I recall visiting Don in hospital on many occasions. The most memorable one was after his operation, when he had been in intensive care and had been moved into the recovery ward. A number of people were called in to see him, including 2 fellows in this town whom I admire for their toughness: Johnny Grice from Barge Express and Tony Lawrence, a building inspector. Don was heavily sedated and feeling no pain at that time. He was sitting in bed and ready to see us and say goodbye. Johnny Grice went in first and, whilst he is a tough man, he can also be a fairly soft man. The Duck looked at him and grabbed his hand because he had probably been practising it for a while. He said: 'John, it is good day and goodbye'. Gricey broke down at that statement and came out of the room. Then, Tony Lawrence went in. He is well known in this town and, in fact, has been a boxer in his time. He has won a few fights and lost a few. He is a fairly tough fellow. Tony was ready. He walked over to Don, who was propped up in bed. They were adversaries as much as they were friends, but both to the same extreme. They were very good friends. Tony walked up and kissed him on the forehead. Tears welled up in his eyes and he turned around and came out.

I was the next, Mr Speaker, and you can well imagine me. I did not get to the door before I was blubbering idiot - and I was on my way in. True to his nature, the old Duck spent 15 minutes counselling me, telling me that everything would be all right and thanking me for coming. I think the bishop walked in next. His loyal staff would remember that occasion fairly well. They were with him throughout most of his ordeal and stood as great support behind him at that time.

Later, he began to recover even though nobody dreamt that he would. Tony Lawrence was talking to me over a beer - and I trust that you will excuse my language, Mr Speaker. He said: 'You know, he is a bastard, that Duck'. I said: 'Why, Tony?' He said: 'He has got better. You know, we have to go through all that again'. Thankfully, we did not have to go through it again because enough was enough in the end. Don Dale had undergone many operations and many treatment procedures and he had had enough.

In the early days, he used to counsel us about how he wanted to be treated. He had to do that because it was hard for us to face him and talk to him in his office at night while he was having a beer. In the early days, we used to joke about it. We used to joke about dying but, towards the end, it became a little too much for him. He was sapped of his strength and I am happy that he does not have to go through it again. I do not know how many times he must have been near death and lived on.

I am sure he can laugh about it today as well. I am reminded of the words of Voltaire, one of the masters of the one-liner. He was on his deathbed and the bishops and priests were gathered around. A priest said to him: 'Now is the time to renounce Satan'. I am sure that, if Don were here today, he would understand Voltaire's reply. Voltaire looked up at the priest and said: 'Now is not the time to be making enemies'. I am sure, Mr Speaker, that Don would be laughing today. He would be free of all that

pain and misery that he went through in his fight for life, and I am thankful for that. I am also thankful for all those people who stood behind him and made those last days as enjoyable as they possibly could have been.

Mr BELL (MacDonnell): Mr Speaker, I rise to contribute my comments in relation to this condolence motion. By the very nature of adversarial politics, obviously I was not as close to Don Dale as were the Deputy Chief Minister or the Chief Minister. I want to take the opportunity to express my sympathy to those who are close to him. I also want to place on record what rarely is obvious to members of the public: the underlying respect that is rarely evident in what are often harsh parliamentary clashes. Don Dale, as Minister for Health and Community Services, and I, for much of that time as shadow minister for health and community services, had what were, at least from my point of view, memorable clashes. I recall vigorous debates about radiological services and community services in Katherine, among others.

It is rarely recognised, even by seasoned observers in the media, that the adversarial nature of democracy - which I suppose is a more polite way of referring to the shouting matches that occasionally characterise debate in this Chamber - performs an important public function. I believe that members of the public often do not appreciate the underlying respect because they do not see it in the context of those debates. They rarely had the opportunity to see the circumstances in which, as shadow minister, I wholeheartedly agreed with and supported the Minister for Health and Community Services. There were contentious matters on which we did agree, and they became obvious. The Chief Minister referred to the needle exchange program and that was one of those. The cooperative approach that Don Dale encouraged in relation to so many public issues is something that needs to be placed on record in this debate.

I was aware already of something of Don Dale's background. I suppose it is one of the ironies of the Northern Territory that a boy who grew up in suburbs like Brunswick, Fitzroy and Prahran, which I do not think have voted other than for Labor since the 1850s, should grow up to become a member of the Country Liberal Party in the Northern Territory. In this context, I will not expatiate on those implications. I will leave those for somebody else, but I want simply to express my support for this condolence motion in those terms and, as I say, express my sympathy publicly to those close to him and his family.

Mr MANZIE (Attorney-General): Mr Speaker, it is difficult to rise and speak today. Our colleague, Don Dale, spent many years next to me at this particular table in the Assembly, and our connections go back many years. As the Chief Minister pointed out, Don was born in Melbourne and spent his early days as a Fitzroy boy. I was born in Melbourne and spent my early days as a Collingwood boy, and the only thing wrong with Don was that he followed the wrong football team. Also, we both joined the Northern Territory Police Force. I was very proud to have served with Don. His contribution to the police force was similar to his contribution to all facets of life in the Northern Territory.

An example was given of the commendation that he received in 1975 for recapturing 7 escapees from Fannie Bay Gaol. I remember that, at that time, I was out in the Ludmilla Swamp area with many other policemen, but not many of us were willing to walk in the swamp up to our necks in water. I was not prepared to do that, but Don was. And that was why he received the commendation - because that was the job to be done and he did it 100%.

Don also made a great contribution to the Greyhound Association. He spent some years as its secretary/manager and, during that time, he certainly strengthened the association. It grew and I think it reached probably the strongest point that it has ever reached, and I believe that that demonstrates that Don had the capacity to enable other people to rise with him. When a job had to be done, he managed to encourage other people to contribute.

As an alderman and Deputy Lord Mayor, his contribution to civic life and to Darwin in general will be something that our grandchildren will remember and benefit from. Don was a man who held very strong convictions. He could put an argument most forcibly, and I suppose a good example of that would be the occasion, a few years ago, when uranium ore was being loaded in containers for export at Frances Bay. A large number of people were down at Frances Bay. Many people were demonstrating against the export of the ore and quite a few people were demonstrating in support of the export of the ore. A number of other people were watching, including a number of police officers and journalists. I must say that I was not there at the time, but I have been informed that one of the people there was the then Chief of Staff of the NT News, one Jack Ellis, and I am sure Jack would not mind this story being repeated. Jack and Don had a disagreement about something that was occurring there. The story goes that, after some heated argument, the Chief of Staff's viewpoint lost some validity when he was trying to continue to express it whilst lying on his back. As I said, Don was a man of strong convictions.

I suppose another example of that was his statement about petrol sniffing. Members of this House are all aware of the terrible scourge and waste of life which petrol sniffing has caused among many young people in outlying communities in the Territory. Don was very concerned. His concern was so strong that he made a public comment that he would break the arms of children in order to prevent them becoming addicted to petrol sniffing. Once again, I suppose that shows Don's strength of conviction in pursuing a particular line. To prevent petrol sniffing and the ruination of young lives, Don believed that drastic action was the lesser of 2 evils.

I certainly am very proud to have worked with Don. I am sure that history will record his contribution to the Northern Territory because it has been a long and steady one over a number of years. Mr Speaker, I would like to say that I am proud to have been a mate of Don.

Mr EDE (Stuart): Mr Speaker, I did not get to know Don Dale until 1983, when we were elected to the Legislative Assembly. I did not know him in Papua New Guinea. He was a member of the uniformed branch of the Royal Papua New Guinea Constabulary whereas I was a member of what we referred to as the senior branch, the Field Constabulary. When we first came to the Legislative Assembly, we used to banter about that because there was a fair degree of rivalry between both sections of the police force in Papua New Guinea.

In his early days here, I recall Don as being something of a wild man. No doubt, some other members of the 'Culture Club' will be able to regale us with reminiscences of those times. I also recall his remarks about breaking kids' arms soon after he joined the ministry. One thing you have to say about Don Dale is that he was honest. You may not have agreed with what he was saying - in fact, you may have strongly disagreed with it and, in many ways, with his methodology - but you had to agree that he was honest. He meant it. He was sincere and honest and he had the courage to stand up and say what he thought.

I do not know whether, somewhere deep within him, there was a reformist. Possibly, as my colleague suggested, because he came from a strong Labor area, he had a deep-seated belief in reform. He certainly had the courage to implement reform. When one looks at his achievements in the ministry, it is apparent that he was one of the most reformist ministers in this parliament. The list of his achievements includes the needle exchange legislation, the home detention legislation, his work on domestic violence and the safeguarding of children, and prison reform. The list is quite incredible, and I hope that his initiatives are continued by members opposite and are not watered down during the balance of this government's term. Frankly, I was often staggered that a person on his side of politics could take such initiatives and have the courage to battle them through. For that, I pay tribute to him.

In conclusion, I would like to wish Don's family well. They are going through a period of great grief. I would like to offer my support and hope that the few words that we say here, perhaps not now but in the fullness of time, may ease their pain and suffering and assist Territorians to realise that he was a fine man.

Mr HATTON (Health and Community Services): Mr Speaker, I rise to support this condolence motion. In doing so, I hope I do not sound repetitive in some of my remarks. Don was a person whom we grew to know very well. His characteristics and strength stood out very strongly for the whole community to see. We have all heard about Don's achievements in his portfolio and I would like to go into more detail about those. Before I do that, however, I want to refer to his achievements as the member for Wanguri. Constituents of that electorate, I believe, are substantially better off because of his efforts on their behalf since 1983. All members of this House will take up causes on behalf of their electorates but I think the enormous contribution Don made to the electorate of Wanguri between 1983 and 1989 needs to be recognised.

Among the most notable matters which Don pursued on behalf of his constituents were a number of planning issues, urban beautification programs, and promotion of the Territory Tidy Towns program and its community involvement aspects. That involvement was particularly strong at the Royal Darwin Hospital, where Don is still held in very strong affection by the ground staff because of his ongoing close involvement with them in upgrading the grounds and facilities around the hospital. He always took great pride in the hospital's achievement in winning Territory Tidy Towns awards. It won awards last year and in the previous year, and Don held a function for the troops there. They certainly responded to that. They identified the project as a Don Dale, member for Wanguri, project rather than a Royal Darwin Hospital project. The Tracy Village Social Club and the facilities that have been developed at Tracy Village will continue as a long-standing testament to Don and his unending fight to improve the grounds and the sporting facilities. He was very successful in achieving funding for the development and the growth of the Tracy Village Social Club.

I can well remember when, as a new Minister for Lands, the member for Wanguri, Don Dale, confronted me in the continuing fight he had engaged in throughout his entire time in parliament to try to gain security of tenure for the Tracy Village Social Club in its battle with the Commonwealth. I think the lease was due to expire in 1991 and he fought to obtain some form of long-term and secure freehold tenure over that land. I am pleased to say that his efforts in that regard have achieved some result because, recently, the federal minister announced that an extension to the lease had been

granted. At least, this gives the club a breathing space before it resumes its battle to obtain freehold title for that land.

As I said, Don will go down in the annals of Territory political history as a good minister, a good man and a strong man. Equally, he will stand as a significant contributor to the community within his electorate for the little things that he did and the work that he put into improving the lot of constituents and servicing their needs.

Nationally, Don was respected by people from both sides of politics. The people of the Northern Territory can be proud of the way Don represented them in more than a dozen different ministerial councils relating to different parts of his portfolio. While he may have had fierce disagreements with various Commonwealth and state ministers from time to time, he was always prepared at least to deal with them. He was acclaimed generally throughout Australia as a forward-thinking and progressive minister and, certainly, as many members have said, as a very hard man. In several aspects of health, welfare and corrections, Don's ideas and initiatives led his federal and state counterparts to reassess the directions of their own policies and programs. When the national Inquiry into Aboriginal Deaths in Custody first began, Don was a lone voice in proclaiming that the key issue was the high imprisonment rate of Aborigines throughout Australia. By the time the inquiry had reached its conclusions, more than a year later, all responsible authorities had begun to echo Don's views.

Similarly, the states followed Don's lead in implementing programs designed to deal with problems associated with AIDS, child abuse and aspects of our prison system. While many people in our community might have disagreed initially with Don's progressive attitudes towards these issues, his determination to talk in a straightforward and honest way about unpalatable facts served him well in many debates. He won the needle exchange debate at all levels in our community, although at first he appeared to be on his own. He was in a similar position when he introduced a range of programs as alternatives to imprisonment in the Territory. Now, when figures clearly show his initiatives have reduced annual Territory imprisonment rates by 25%, several states are clamouring to implement his initiatives. More than 2 years ago, Don opened up community debate on ways to prevent child abuse. Slowly, the debate was picked up throughout Australia and has become a focus for national concern.

I would like to examine more closely some of his achievements in the Territory sphere, and one issue that has been mentioned is the amalgamation of departments. One of Don's biggest challenges during his career as a minister was to supervise the amalgamation of 3 separate public service organisations into the Department of Health and Community Services which could provide truly integrated services to Territorians. Many of us will remember that, at that time, not only did Don have to confront the enormous challenge of bringing together this department but, as it turned out, he had to do that in the face of substantially reduced available funds to the Territory in 1987. He combined his approach to the task with a fierce determination to ensure that all those things to be undertaken by way of election promises as new initiatives and developments in those portfolios were introduced and implemented. He sought to expand services and integrate and combine departments and to do that with fewer resources than had been available in the past. On top of that, the man was confronted with the first days of discovery of the illness which has eventually taken his life.

The 3 distinct organisations involved were the former Department of Health, the Northern Territory Correctional Services and the Department of Community Development, which included various welfare services and responsibility for youth, sport, recreation and ethnic affairs. At that time, the organisations employed close to one-third of the entire Northern Territory Public Service work force. It required a forceful, determined personality to ensure that the entrenched, disparate administrative philosophies and styles of those organisations blended successfully. Many people in the organisations hated the proposal and initially they worked actively against it. Don saw it as a worthwhile job. As a responsible minister, he believed he had to handle the public flak and support his public servants. At the same time, he expected and exacted high standards from the departmental staff. Apart from achieving his basic aim, Don also gained a great deal of respect from many public servants. Their initial impression of this man as a backbencher who was out of his depth changed quickly as they were expected to keep up with the demands he placed on himself and all those around him.

In the 2 short years during which Don was responsible for the Northern Territory's health services, he was able to set targets which led to considerable expansion of the range of services available as well as a marked improvement in their quality. Particularly in relation to Aboriginal health concerns, Don's hard-headed but realistic appraisal of crucial issues led to many positive benefits for Territory Aborigines. His no-nonsense approach to dealing with problems associated combined compassion and logic, based on careful research. As a politician, he believed it was his responsibility, in concert with the public service, to encourage change when it was needed. Don was always aware of the feelings of the community but, when community views were not realistic, then it was up to a political leader to make the change.

Don's response to the potential threat of AIDS initially caused some concern among the Territory's urban communities as well as in remote, predominantly Aboriginal areas. His approaches have since been endorsed and emulated, not only across Australia, but in several countries where the cross-cultural impacts of major health issues have to be taken into account. Don tackled the problems of delivering a range of services to isolated areas in the Territory with typical determination and enthusiasm. Some of his notable achievements included nursing the career and award structure for Aboriginal health workers through to fruition, as far as has been physically possible. Even now we are awaiting the decisions of the Arbitration Commission to finalise that process. The success of these initiatives was vital to the improvement of health services among Territory Aboriginals.

He implemented a wide range of preventive health measures and health campaigns throughout the Territory as a positive approach to combating key health problems. He implemented a number of programs which resulted in Territorians having access to far better medical equipment and facilities than had been available previously. This included the latest radiology equipment at the Royal Darwin Hospital, an expanded renal dialysis unit in central Australia, and the establishment and development of mental health services which were simply non-existent before self-government and virtually non-existent when he took over as minister. All these initiatives meant that fewer Territorians had to leave home to receive the care and treatment they required.

Don was heavily involved also in encouraging the development and establishment of private hospitals in Darwin and Alice Springs as a means of

providing alternative health services. He did not allow his advancing illness to deter him from his commitment to developing a better health service for Territory families. In dealing with treatment for his own illness, Don discovered that many Territorian children suffering from various forms of cancer had to seek chemotherapy treatment interstate because facilities and expertise were not available here. Often this meant that families were separated while one parent went south with the child for regular treatment and this added unnecessary stress to the family unit. One of Don's last official acts as minister was to sign the necessary documents to set up an appropriate children's oncology unit at the Royal Darwin Hospital.

In relation to community services, child abuse and child protection were always major issues for Don. As a child, and as a policeman in 3 different forces, he had seen enough to convince him that our society must protect its children. Don was relentless in promoting the need for proper protection for children. His view of children was also demonstrated clearly in any hospital visit he made. I am told that it was impossible to shift him out of the special care nurseries which posed a special hazard for his staff who had to watch the very tight schedules he set himself.

As has been said, Don was an avid supporter of the portfolio of youth, sport and recreation. He initiated, promoted and developed the Honda Central Australian Masters Games to the point where they have become the best recognised and most popular festival of their kind in Australia. Also, he implemented the development of a similar format for a regional sports festival based in Darwin. The inaugural Arafura Games, for teams of Asian, Pacific and Australasian competitors preparing themselves for future Olympic or Commonwealth selection, are due to be held here early next year.

In the arts, Don always maintained a broad overview of his portfolio responsibilities and, despite his definite lack of an artistic background, the Territory arts community found that this ex-cop and football supporter was always ready to meet and discuss proposals for ventures. Although they were apprehensive at first about their new minister's blunt appraisal of what, to the uninitiated, might appear to be an airy-fairy waste of time, Don was ready to listen to different views and consider the benefits to the general community. For example, he supported the development of contemporary music projects because he saw contemporary music as a universal medium that appealed to the young and, in the Territory, to an emerging group of artistic leaders among Aboriginals. He was able to cut through the artistic gobbledegook to recognise the potential value of the arts world in providing employment, health education and benefits for young people at risk.

Don also recognised the value of the perception of the Northern Territory community as an example of a dynamic multicultural society. He boosted the role of the Ethnic Communities Council of the Northern Territory as a central, unified voice for the Territory's diverse ethnic groupings. He initiated an innovative 5-year development plan for the council. He implemented a similarly successful program to establish the now well-regarded Multilingual Broadcasting Association as an integral part of our broader community. Don also helped promote the now-acclaimed concept of allowing extra points for prospective migrants who intend to settle, and thereby help develop, more isolated parts of Australia. This step also helped promote the Territory's thriving multicultural community.

The time that Don spent in various police forces and as a street kid made him of inestimable value to the Territory as a minister responsible for correctional services. His personal experiences gave him a realistic view

of prisons and juvenile justice policies that people with more privileged backgrounds had to struggle to come to terms with. As a result of his concerns for young people, the Territory's innovative Wilderness Work Camp at Wildman River enjoyed enormous success with the implementation of several exciting programs. The Wilderness Work Camp won unstinting praise from Institute of Criminology experts and had the extra advantage of providing ideal rehabilitation programs for young Territory Aborigines otherwise at risk of commitment to a life of crime.

Don also introduced community service orders to the Territory as a way of keeping fine defaulters out of prison. This step in itself had a significant impact on reducing unnecessary imprisonment of members of our community and a reduction of stress on family members who also suffered when the breadwinner went into prison. Don fought successfully to have a proposed new prison for Alice Springs on the design list. His most significant contribution to the way our community deals with offenders was his introduction of the Home Detention Scheme - a first in Australia. Like the other programs Don introduced, this initiative is being implemented in other states of Australia.

Don's image as a tough, hard and aggressive minister was well deserved. He would set himself and the community a series of challenges which he knew would benefit the average Territorian for many years to come. However, the straight-talking, determined politician often hid the compassionate, caring human being. Don's door was always open. He talked with and listened to the complainers, the lobbyists and the people with ideas. He was prepared to spend time to resolve the problems and personal issues that his portfolio carried with it. His philosophy in dealing with these matters was that people had a right to the truth. You might have to say no, but you owed them a reason for the decision.

Any person who had dealings with Don Dale, either as a private citizen, public servant or politician, soon developed respect for his straightforward style. Don's political views were similar to his personal outlook - get the facts, establish a position, do not back away from it if you know you are right and fight as hard as possible to win. As a man and as a politician, he set an example for the Northern Territory to follow. He will be sadly missed.

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Speaker, Don Dale was more than just a good colleague. Don was a very good friend. He was a tough politician who was seen by the media, and therefore by those who did not know him well, as an arm twister. However, those of us who dealt with Don on a daily basis knew his essential qualities of concern for the underprivileged and determination to provide quality services to all Territorians as well as his support for youth and for family services.

Mr Speaker, I could go on, but I do not think think it is necessary. Don's achievements over the years have been well described by other members. Perhaps the thing for which I will best remember him is his courage from the time that he first knew that he was suffering from cancer. He simply wanted to get on with living, to be treated no differently, and to be able to continue his work. Unfortunately, that was not to be. I visited Don occasionally during his illness. His strength and determination continued to the very end. His courage and continuing interest in what was going on around him in government and in the Territory made those visits a pleasure for me.

Don made his mark as a minister, not only in the Territory but nationally. Other ministers have related the response to Don in the ministerial councils which he attended - and he attended many of them. He is remembered in all of them. I have followed Don in some of those ministerial councils and I can say that the respect in which he is held is tremendous. Only last week, I attended the Ministerial Council on Aboriginal Affairs in Hobart. Every minister in attendance who had known Don paid his respects and spoke very highly of him. It was resolved by the ministers attending the council that condolences be sent to Don's family. Mr Speaker, I too express my condolences to Don's family and many friends. He will long be remembered.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, the thing I most admired about Don Dale was his courage in the face of the inevitability of cancer. He had to face it alone, knowing that his time was short. He was a dominant type of person who fully put forward his point of view on all matters. I have to say that I had my arguments with him from time to time but, in the end, I had to hand it to him. He was a strong person who had courage. I hope that, if the same misfortune befell me, I could handle myself as well as Don Dale did. My sympathy goes to his family.

Mr HARRIS (Education): Mr Speaker, I would like to contribute briefly to the debate on the motion of condolence for the passing of a colleague. The Attorney-General mentioned that he was the minister who sat next to Don. I hold the dubious distinction of sitting in the seat that was left vacant when Don resigned from the Legislative Assembly.

I did not know Don Dale as well as many other members of this Legislative Assembly knew him. In fact, prior to Don entering the Assembly, I had limited contact with him. Other honourable members were very close to Don Dale and I extend my sympathy to them because I know that he had a long association with them and touched them deeply. I must admit that, like other honourable members, there were occasions when Don and I had our differences of opinion. However, I always respected his point of view and I was always willing to be persuaded to support the views which he was putting forward.

He was a man with a purpose and who knew where he was going. In other words, he knew what he wanted and he pursued his direction with vigour. That has been mentioned today and it is something for which I will always remember Don Dale. That conviction and determination to pursue a direction, that Don exemplified very well, is missing in many of us today. Judging from other members' comments, Don had a rough beginning. The Chief Minister, among others, mentioned his early years. We all know that Don had a rough ending as well. I will remember Don for his doggedness, his commitment to a cause and his determination to win. I have heard a good many stories about Don's involvement with the 'Culture Club', which the member for Stuart also mentioned. I do not intend to relate any stories because I was not a member of that club. However, a couple of speakers who will follow me may perhaps relate some stories about the activities of that well-known club.

Don will be missed for his contribution to the government and his commitment to improving the quality of life for all Territorians, particularly the youth and the aged. Don had a strong commitment to those people over many years and his contribution will be missed. No one doubts that Don Dale was a fighter. As we all know, he was a fighter to the end. He will be remembered for his contribution to local government and to the government of the Northern Territory. I offer my sympathy to the members of

this Assembly who were very close to him, to his friends in the community and, in particular, to the members of the Dale family.

Mr FINCH (Transport and Works): Mr Speaker, I would like to add a few comments to the motion of condolence in respect of a colleague and a good mate. I think it is appropriate at this time to place on the public record the personal contribution which Don Dale made to the Northern Territory. I endorse all the comments which have been made to date and I would like to reflect on a few matters which have not been raised.

I commenced my service as a member of this Assembly, together with a number of other honourable members, at the same time as Don in 1983. I had known Don before that as a result of his activities with the Darwin City Council and the Darwin Greyhound Association. His commitment to youth, through various avenues, has been referred to already and I recall that, in the first sentence of his maiden speech in this House, in the Address-in-Reply debate, Don mentioned his concern for youth in the Northern Territory and identified it as the main theme of his speech. We are all well aware of his long-term commitment to youth.

Don contributed to numerous sports and activities throughout the Northern Territory. Within his own electorate, I recall his special contribution to 2 specific projects. One was the clubhouse for the Surf Lifesaving Club, a facility which is the club's pride and joy. Its members requested me to pass on their respects on this occasion for Don's invaluable work in gaining that facility by means of some fairly practical yet innovative ways. That facility will, I am sure, remain a monument to Don and his efforts.

Another facility of great concern to Don, as mentioned by the Minister for Health and Community Services, was the Tracy Village Social Club. In that very same maiden speech, Don Dale referred to the club as something which had been of great interest to him for some 6 years prior to 1983, during his time as an alderman on the Darwin City Council. He referred to the effects of the club's precarious tenure on the lease and of RAAF operations on the land adjacent to Tracy Village as having been of concern to him during his 6 years as an alderman, and that it was his intention to pursue the anomalies through the government and in this forum, the Legislative Assembly.

Don Dale's first question in this House was to the then Minister for Lands regarding tenure for the Tracy Village Social Club. The Minister for Health and Community Services mentioned that, when he came to the portfolio of lands, Don was still pursuing the matter of tenure. Whilst an acknowledgement has been made in respect of an extension of the lease, the fundamental issue for which Don fought so vigorously has yet to be resolved. I am sure my colleagues will join with me in a further commitment on Don's behalf to ensure that that area of land, containing not only Tracy Village but all the adjacent area which was of such critical concern to him and his electorate, will be pursued to a proper conclusion.

He was concerned not only for the welfare of the club, but also that an appropriate, alternative access to the hospital be achieved. Members will recall the numerous times that he raised those arguments. It has been said previously that his commitment to Tracy Village Social Club was very effective. It was long term. He was one of the earliest members of the club. In the very first year of its existence, when a construction camp was converted to a community facility, Don was a member of the club. Prior to coming to this House, he fought to obtain many of the improvements. Once he

was a member of parliament, his lobbying certainly led to a great deal of expansion of the club's buildings and facilities. Tony Lawrence, the club's inaugural president and president for some 8 years, asked me particularly to place on record the appreciation and affection of himself and club members for Don and his commitment.

Don had an adjoining electorate to mine and he was of great assistance to me. Don had had some 6 years in local government whereas I had come to this place totally inexperienced. His powers of persuasion and knowledge of debating were extensive and I can say quite unashamedly that Don's influence on me was quite significant at that time. Don and I served together on a number of parliamentary and backbench committees. I have absolutely no intention of referring to the so-called 'Culture Club' and I am well aware that the other remaining member has a similar intention as well. Those were times that were not terribly well understood by all of our colleagues. As with all other committees on which we worked, Don was extremely thorough and made a very positive contribution. Certainly, Don had a sense of humour and, on our various trips, we had the opportunity to share his good sense of humour and his most pleasurable company.

Because we had adjoining electorates, we had a number of mutual interests. Certainly, in all respects, Don did more than his share to ensure that his own electorate of Wanguri was well looked after. I am sure the people of Wanguri will join with this House in applauding the efforts that he made.

It has been said that Don displayed a great deal of strength in those last few months. There is no doubt about that at all. He not only had the strength and the courage to see himself through those times but, very fortunately, he had sufficient strength for the rest of us. There is no doubt in my mind that such an illness is one of the most difficult situations not only for the persons concerned but also for those around them. Don provided that strength to help us through that time and, hopefully, we provided a little comfort to him.

I would like to close by adding my family's condolence to Don's family, to his close friends, to his very loyal ministerial staff, to his electorate secretary, and all of those others who now, hopefully, will be able to dwell on the strength of the performance and the results that Don Dale achieved, not only for himself, but for the entire Northern Territory.

Mr PALMER (Karama): Mr Speaker, today we have heard about the determination, the doggedness, the courage, the strength, and even allusions to the bloody-mindedness of the Duck. Of those among us who have watched western movies, I do not think any of us will ever forget the image of one John Wayne character, Rooster Cogburn, sallying forth on his charger, guns blazing, without regard for his own personal safety. The title of that movie was 'True Grit', and I think those 2 words describe Don Dale. He was a man of true grit.

Some years ago, and not long after entering this House, I had cause to have a rather long conversation with Don during which he explained to me the unfortunate circumstances of his childhood. He explained to me how, when he was 11 or 12 years of age he lived in a one room flat with his brother and his mother. He had never known his father and, one day, his mother simply failed to come home, leaving Don and his brother to fend for themselves. Don lived in crates behind a cafe. He got himself a job as paper boy and he paid board and lodging for himself from the time he was 11 years old. He

paid his own school fees and put himself through school and, if anybody in this world had cause to turn to crime, it would have been Don Dale.

Mr Speaker, we had the pleasure of knowing the Duck. I am sorry, but I do become emotional when I talk about him because he was a man for whom I had the utmost respect and, dare I say it, he was a man I loved. We heard reference earlier to the 'Culture Club' and I certainly do not intend to regale the House with stories of that club, for no higher motive than that I do not trust the Duck who probably has left some memoirs somewhere. I do not want to start it. However, one of my fondest memories of Don is that, like most Territory males, he was a self-professed culinary genius. On one occasion, we decided to have a cook-off. It was to be held at my place and Don's task was to provide the pea and ham soup. Don spent the day over the hot stove preparing this culinary masterpiece and he brought it to my home. He was extremely proud of himself. He had a big pressure cooker, and his was to be the first course. Don turned on the stove, and we went downstairs and had a few drinks. When we went back upstairs, all the peas had sunk to the bottom and burnt. The Duck was absolutely shattered.

I had never seen a man so down in the dumps. We were standing in my kitchen and Don was morose and sad. He sent his wife home to get a second batch that he had cooked up for himself. The people there were giving him a pretty hard time because there were certain rules about entrees and the soup was supposed to be served at 8.15. By this time, it was after 9 pm and Don was losing points in this cook-off. I was standing in the kitchen having a beer with Don and trying to cheer him up when my wife and another lady ran into the room. Apparently, they had noticed that my youngest son's breath smelt of chocolate. At this time, Dick Norris had turned up and his contribution was chocolate pears in a Grand Marnier sauce. At first, the kids had complained about the funny tasting orange juice in the fridge but, when the ladies smelled on my youngest son's breath this slight hint of chocolate, they thought they should investigate. They opened the fridge and found a tray of chocolate pears. It had taken Norris all day to find sufficient pears with stems on and dip each one in chocolate. We saw that each pear had one little bite taken from it. When he saw that, Don simply broke up. It relieved the tension created by his ruined soup and he ended up sitting on the floor of my kitchen crying because he was laughing so much at poor Dick Norris' misfortune. Such was the Duck, Mr Speaker.

In closing, I would like to put on the public record my deep appreciation of those who stood by Don during his demise and tended to his every want, and comforted the man when there was little else they could do for him. They suffered through the demise of a man who was truly a great man, a great Territorian, and one whom I have been very proud to know.

Mr FLOREANI (Flynn): Mr Speaker, I rise this morning to support the condolence motion. I did not know Don except as a political opponent and, from where I sit here, looking across the Chamber, I recall that I always thought of him as a tough customer, a tough minister and certainly a formidable opponent.

I was most interested in the short history that the Chief Minister gave of Don. It revealed a side of him that I did not know and I guess the aspect that impressed me most in that short history was that really it epitomises what makes Australia so great: that a kid from a hard, tough background can still achieve in Australia and reach the heights that Don reached, becoming an alderman, Deputy Lord Mayor on the Darwin City Council, and a minister of the Crown. Certainly, that demonstrates how truly great Australia is.

The only incident in which I was involved with Don was what became known as the salami affair. It attracted attention from the national media. Don put his arm around me just before the media hit us and said: 'Come on, Enzo, let's do this for the Centralian Masters Games in Alice Springs'. What impressed me greatly about Don was his total commitment to the Masters Games. His humour was evident later in the day. He said to me: 'Gee, Floreani, that is the worst salami I have ever tasted and I have been eating it all day'. That was the one occasion on which I was closely involved with Don.

The other aspect that impressed me greatly about Don was the courage that he demonstrated when he found out that he had terminal cancer. His fighting spirit certainly was demonstrated often. I would like to extend my sympathy to his family and loved ones, and pay tribute to a high achiever and Territorian.

Mr FIRMIN (Ludmilla): Mr Speaker, I too would like to rise today to pay tribute to the Duck and to support the condolence motion. Don and I had a long history together, as did many members of the Assembly here. In terms of politics and our interest in the Darwin community, we were very close in the days when we both first entered the Darwin City Council as aldermen. We had some 7 or 8 years together on the city council. Like many people in this Chamber, we had times when we agreed wholeheartedly with the way in which Darwin should be presented to the world and how it should develop and, naturally, there were other times when we disagreed violently about the way the affairs of the city should be conducted. However, at no time did that detract from the fact that he was single-minded and always had Darwin's interests at heart as he saw them.

He was a very clever man in committees of the city council. Some other members of this Assembly have served on the council. It is not quite so easy working in an open forum situation such as the Darwin City Council where, essentially, one is a single advocate for a particular project. One has to gain the support of one's colleagues at various times in respect of various issues. Whilst there was some commonality of interest and loose factions in relation to specific issues, and one could sometimes anticipate support from particular quarters on the basis of previous support, it did not always follow that that was the case. If you wanted council support for something, you had to put in a tremendous amount of work to gain that support, and Don was a fierce worker for projects which he felt to be in the best interest of Darwinians. Some of those projects have been mentioned already by other honourable members.

Don carried his council experience, as well as his personal attributes, into this Chamber. He used knowledge gained from that previous experience in the way in which he worked in the parliamentary wing. He worked extremely well in the parliamentary wing and in the committee system, as was demonstrated by the way in which he approached the portfolios which he held. Not only did Don have a single-minded sense of purpose himself, he was able to communicate that sense to his staff and members of the public service. I think that will certainly be demonstrated by the attendance at tomorrow's state funeral and, certainly, it has been demonstrated to some extent by the number of people who are present in this House today for the debate on this condolence motion.

For me, Don not only was a colleague but also a mate. As for many other people here, the last year or so has been very sad and difficult for me. As I said to Don not so long ago, and as others have said, he tried to support us to cope with our own reactions to his situation. One of the things he

spoke about to me was my role as Chairman of the Anti Cancer Foundation. I told him about the terrible inadequacies that I felt as chairman of an organisation which did not seem to provide any hope for people in Don's position. He turned around and said: 'Yes, that is probably the case, but we all have to die and some of us have to die sooner than others'. He said to me what he also said publicly: 'At least I know when I am going and I have time to get my affairs in order'.

The other lasting memory and tribute to Don, as far as I am concerned, is the legacy he gave to the community in terms of his openness and ability to talk about his impending death from cancer, a subject which has in the past been very difficult for the community to come to grips with. For a long time, the 'Big C' was not really talked about. It was something that was hidden away. I remember the problems people had in talking about the 'Big C' when this House attempted to establish the cancer register. I think that Don has helped change that completely and the results of his contribution will be seen in years to come, now that the register is in place and as information is available and research is carried out. The Menzies School of Health Research is contributing to that research in the hope that, at some time in the future, we might find the answers to the cancer problem, not the least of which may be such facilities as the oncology clinic at the Royal Darwin Hospital.

In closing, I would like also to pay tribute to people in the gallery today, particularly those who were close associates of Don, who were employed with him and worked with him as members of his staff and the public service. Their attention, care, love, and support of him went beyond most things I have seen. Those people to whom I am referring know that full well. I would like to thank them for their efforts and also to wish his family and friends well for the future. I would also like to pay particular tribute to someone who has not been mentioned by name today, one Linda Fazldeen, the lady who was Don's companion right through to the end, and who nursed him at home right until last week. She has given something of herself which I do not have the words to express.

Mr LEO (Nhulunbuy): Mr Speaker, my words will be brief. I knew Don Dale before he became a member of this Chamber, when he played his part in a matter which is part of the Territory's history that has long since been forgotten except, I suppose, by a few members of this House. I refer to the debate concerning the establishment of the TAB. I am sure it is testimony to Don's tenacity that that debate lasted so long. Another debate was conducted in this Assembly, perhaps not quite as vigorously as it might have been conducted in the government's party room - the great needle-sharing debate. Both of those debates, inside and outside this House, indicated something of the character of the man of whom we are speaking.

My other enduring memory of Don Dale is his ability to put aside debates on issues in this Chamber and to sit down in another place, over a cool libation, to swap a yarn with the very person with whom he had just been engaged in vigorous debate. Don Dale could never be accused of being a bitter man. He had a great sense of humour and I think that many members of this Assembly could learn a great deal from him. He did not carry the business of this House out of this House. He saw debate in this Chamber as a vital part of his job but he never allowed it to reflect on his personal relationships.

As other honourable members have said, Don Dale served this Assembly well. Like most members of the opposition, I had fairly vigorous exchanges

with Don from time to time. However, I believe he served the parliament and the Territory well. He introduced a number of reforms, as has been mentioned. I must say that I do not agree with all of them, but many were long overdue in the Northern Territory. It is a credit to the man and a credit to this Assembly that he succeeded in those reforms.

On a science program which I recently saw on television, Dr David Suzuki was talking about ecology and the environment. He spoke about 'the power of one'. If ever there was an expression of 'the power of one', Don Dale's life probably indicates to all Australians and all people everywhere what 'the power of one' can achieve. His family and his loved ones certainly have my commiserations but, as the Leader of the Opposition said, death is also about life. If ever a life deserved to be celebrated, Don Dale's life is it.

Mr REED (Primary Industry and Fisheries): Mr Speaker, I really only got to know Don Dale following the election in 1987 when I became a member of this House. I would have to agree with comments made by other members today in relation to Don. Certainly, he was a man with great strength of character. I have been privileged in having benefited from that strength of character. From the time that I first entered this House, Don was always willing to offer assistance, advice and every encouragement to me. I very much appreciated that and benefited from it greatly. Similarly, in July 1988, when I was appointed Minister for Primary Industry and Fisheries, Don again extended a great deal of encouragement and assistance to me and offered some very valuable advice which has been of much benefit to me. I will long remember that.

In respect of correctional services, Don Dale introduced some very innovative programs, which have been recognised not only in the Northern Territory but throughout Australia. He was directly involved with a number of initiatives, including the Home Detention Scheme. The authorities in New South Wales are now adopting a very similar model. The Territory led the way, with much guidance from Don Dale, in the introduction of home detention. The fact that the states are now moving in a similar direction is a recognition of the reforming efforts of Don Dale and officers who worked with him. I am aware of the respect in which Don is held by the Department of Correctional Services officers and that obviously continues. I think a measure of the man is the respect in which he was held by the officers of the department.

He has left his mark all over the Territory. Certainly, the people of Katherine and its region will benefit for many years from the commitment that Don Dale had to his health portfolio. The people of Katherine can look back and say that Don Dale played a great part in providing first-class medical services in Katherine. I am reminded of comments made by a nurse who was working temporarily in the Katherine Hospital last year. She was most reticent about coming from Adelaide to work for a short period because she had a vision in her mind of the facilities that would exist in a hospital in an isolated town the size of Katherine. She was absolutely amazed to find that Katherine and its region were serviced by a first-class facility. She was very much surprised at the level of services that were available. The people of Katherine have very much for which to thank Don Dale in this regard. One of Don's last official functions was to open a new ward at the Katherine Hospital in the middle of last year. That will stand as a tribute to the commitment that he had to his work as Minister for Health and Community Services.

Mr Speaker, I would like to offer my sympathy and condolences to Don's family and his friends. In particular, I would like to say that everyone appreciates the effort that his ministerial staff made during the time when he was a minister but, more particularly, during the time of his illness. We all very much appreciate that and I know that Don and his family appreciate it.

Mr SETTER (Jingili): Mr Speaker, Don Dale always struck me as a person with a goal, as a person with tremendous drive and ambition and, as we have learned over the last 12 months or so, as a person with tremendous guts. We have heard today that Don was a boy from Fitzroy. As a boy from the back blocks of Melbourne, he had a pretty difficult and tough life in his early years. He was a man who dragged himself up from what can only be described as very humble beginnings. As was pointed out earlier today, not too many people achieve that. He went from that background to become a minister of the Crown, and that is no mean feat. We heard the member for Stuart describe Don earlier today as a reformist. That was evidenced by the innovative ideas that he introduced via his portfolio. I was a bit concerned by the inference that, because he was a reformist, he was perhaps a closet socialist. Of course that was not the case at all because, if ever anybody was right wing, it was Don Dale.

The Leader of the Opposition said earlier that Don Dale typifies the Australian dream. I understand that to refer to a person who came from a humble beginning, from a poor educational background, from a difficult family life and, through his own efforts - and to use the word that the member for Karama used - through his own 'grit' rose to the heights of a minister of the Crown. It was not easy. It was a long and arduous path. The Chief Minister described earlier how Don had been a police officer in Victoria, went to Papua New Guinea to carry out a similar role, came to the Northern Territory to join the Northern Territory Police Force and became an alderman.

He has left his mark in this community and also in other communities. Doubtless, the people he met and rubbed shoulders with along the way gained a very healthy respect for Don Dale. I can recall one occasion when I was a fairly new boy in this place. It is very difficult for a member of the backbench to achieve much positive media comment. I latched on to one particular issue and went public on it. Next thing, my telephone rang. It was Don Dale and, in a very short time, he told me to get my butt out of his patch because I was infringing on his portfolio area. I backed off at a great rate of knots.

The other thing that impressed me about Don Dale was his relationship with the media. I think he had a very strong and positive relationship with the media, and that is no easy achievement because one has to gain their respect. As honourable members know, that is not an easy thing to do. However, I believe that he did it and more than held his own in many a television interview.

Mr Speaker, I would like to pay tribute to Don's ministerial staff and his electorate secretary of the day, because there is no doubt that all of those people, when they heard of Don's illness and his hospitalisation, rallied behind him and, in their own time, spent many hours supporting Don at his hospital bed. They were not paid to do that, but they did it because they respected the man and, in their own way, they loved the man. That was something that really hit home to me. It demonstrated that those people so respected their boss and were so dedicated to him that they were prepared to make that personal sacrifice to make his hours in hospital a little easier.

In closing, Mr Speaker, I offer my condolences to Don's family and his close friends who, in this very troubled hour, need our support.

Mr VALE (Tourism): Mr Speaker, I too would like to speak to the condolence motion moved by the Chief Minister. To take up from the member for Sanderson's comments about Don Dale's support for football, as has been said repeatedly, Don Dale was known to be very tough but, back in the 1950s and 1960s, anyone who barracked for Fitzroy would have had to be tough. They have had more lows than highs. They have not won a premiership for many years. They are probably only just ahead of Collingwood, those feather dusters who play a few kilometres to the east. If anyone asked whether I would choose Fitzroy or Collingwood, I would say freely that I would sooner barrack for Fitzroy. It is somewhat ironic, but I grew up in the backblocks of Victoria with a mate of mine who was a one-eyed Fitzroy supporter. In the 1950s, a fellow called Tony Ongarello, the first Italian-Australian to play Australian Rules football, signed on with Fitzroy. He was lightly built and led like lightning on the forward line where he took marks. Of course, in Fitzroy, where Don grew up, a great percentage of the residents were Italians. Almost overnight, posters featuring Italy's favourite son, Tony Ongarello, appeared in all the fish and chip shops. There was another player with Fitzroy, a bloke called Butch Gale who was big and tough. He would run through brick walls and, in many respects, he looked like Don Dale. He had a balding forehead and solid shoulders, and he was a tough footballer.

As I said, Fitzroy had its highs and its lows. It was ironic that my boyhood friend in Melbourne, who supported Fitzroy so keenly, was killed in a car accident in the year during which Fitzroy, after battling for many years, made it into the finals. However, as the Chief Minister said, I am sure that, sooner or later, Fitzroy will make it into the finals. It has some fairly good young players coming up through its ranks.

Mr Speaker, most members have already made some of the points that I had intended to make, but there are a couple of comments I would like to make. First, I want to pass on to Don's friends, in particular his staff, a message from a former Olympic great with whom I had dinner in Alice Springs last week - Dawn Fraser. She had a great deal of time and respect for Don and, indeed, Dawn, Don Dale and Ray Norman, the departmental head, were the 3 people who were instrumental in promoting the Masters Games to its present high status. It was a great tribute, I think, for Dawn Fraser to pay that respect to Don. She had followed his career and was very saddened to hear of his illness when I first met her a couple of years ago. She was in Alice Springs when he passed away last week.

Talking about Olympic greats, some members would have been in Alice Springs in 1988 for the launch of the Honda Central Australian Masters Games. There was a dais on Anzac Oval and various officials were sitting there including, among others, Don, Dawn Fraser, and another Olympic great, the famous Sir Hubert Opperman. Sir Hubert was to speak immediately prior to Don rising to officially open the games. We were all studying our programs which indicated what was to occur. Sir Hubert was to speak and then Hon Don Dale would officially open the games. Sir Hubert, being probably a little hard of hearing, got up and took the microphone and talked about what great games they were. He said Olympic Games were great and spoke about sport generally. Then he said: 'Ladies and gentlemen, honourable minister, I have great pleasure in officially declaring the Masters Games open'. I knew it would faze me if that happened to me, but it did not faze Don Dale. He did not bat an eyelid. He simply stood up and formally opened the games.

Mr Speaker, many people would know of my association in central Australia over a period of time with the Ghan Preservation Society. Indeed, I received a tremendous amount of support from wide sectors of the community, business and government departments. Don Dale was one of the people from whom I sought and gained support. I showed Don over that project when it was really only a dust bowl. I pointed out what we proposed to do and then asked if he would be prepared to arrange for volunteer prisoners to move out to MacDonnell Siding and set up a camp there to cope with some of the bullocking work that would need to be done. Don had the ability to look at you and not betray his feelings and I was trying to convince him that this would be a grand project, with a carpark, parks, gardens, barbecues, a big railway station and so on. He said nothing and did not flinch. Some of his staff were with him and they were not letting on. He went away and I thought that I had bummed out but, a week later, prisoners arrived on site and provided a great service. It was the first unofficial, mobile prison camp in central Australia. The first official one was opened several weeks ago by the member for Katherine.

Don assisted us also in respect of people on community service orders. Those workers used to go there regularly on Saturday mornings and both of those groups, the prisoners and people on community service orders, made a great contribution to the Ghan Preservation Society, and I am very grateful, as are many residents in central Australia for the support we obtained through the department and through the former minister, Don Dale.

Last Saturday morning, I had the pleasure and honour of opening the Northern Territory Pistol Club's annual competition. I had breakfast with some of the officials the week before and they advised me that, as part of the opening ceremony, I had to fire 4 or 5 shots off at targets further down the field. I was a little nervous about it, because I am not a very good shot. When I got there on Saturday, I was handed a pistol. It was a fairly heavy piece of machinery and it was lethal. In announcing my presence, the president advised the club and the members from across the Territory that the rapid fire shoot in which I was to participate to officially open the event was to be named permanently the Don Dale rapid fire shoot in memory of Don's encouragement of and support for the pistol club. I pay tribute to the work that Don Dale has done for sport right across the Northern Territory.

In summary, it would be true to say that Don Dale was tough; he was tougher than boot leather. Indeed, he was so tough that he made boot leather look like lamb's wool. In conclusion, I pay tribute to his staff, as other members have done, for the tremendous support they gave to Don during his term in the ministry but, more particularly for the moral support that they gave him during the latter part of his life. Mr Speaker, I support the motion.

Mr COLLINS (Sadadeen): Mr Speaker, I was pleased to hear this morning the history that the Chief Minister gave of Don's early life. It was totally foreign to me. Obviously, he did not speak about it freely, but that account gave me a deeper impression of the great stature of the man to have come from a situation of great adversity and to have risen to the heights that he did. I am very pleased to have heard that because it has given me a new insight and understanding of the man.

Don and I fought over many issues, and that was not uncommon. Often, we were violently opposed on matters, and he held to his views very strongly and certainly was a great adversary. I can appreciate now the fact that he would have had to battle and did battle, and I think that that is an

inspiration. That is the best word to describe it. Each of us can see that people can go from the lowest levels, where everything is against them, and rise to the heights. I appreciate the Chief Minister's outline of Don's history because, as a result, I see him in a different light in many ways.

Together with all members, I admire his courage and determination in the face of adversity at the end of his life. It is an inspiration to us all. Many of the things that Don achieved or put in train will continue as a lasting memorial to him. Of great importance to people in central Australia was Don's inspiration in establishing the Masters Games. They will no doubt continue for many years. I am sure that Don will be long remembered and respected for that. My sympathies go to his family and friends.

Mr TIPILOURA (Arafura): Mr Speaker, I would like to support the motion of condolence. I first met Don Dale in 1986, long before I became a member of this House. He was the minister responsible for community services in Aboriginal communities. I was then the chairman of the Nguiu Council on Bathurst Island. I did not know Don that well as a person. However, as a minister, I think he achieved much for the Territory. In respect of health and correctional services for Aboriginal communities, he did much to implement new ideas and improve conditions for the people.

The Chief Minister's history of Don's childhood gave me a better understanding of the man. It was very difficult to understand Don, especially his ways in this House and the way he spoke. He was a very strong person. The Chief Minister's remarks gave me a greater understanding of Don and the sort of character he was. He demonstrated that it is possible to rise from the humblest beginnings to become a minister of the Crown. To my mind, it demonstrates that he was a very strong man. He had great courage, especially in the last 2 years of his life. That is all I can say about Don. I now have a better understanding of the man because I did not understand why he was such a strong person in the House and in public. He set a very good example for the younger kids and, maybe in the future, for all the people in the Territory. I extend my sympathy to his family and friends, especially to the members of government who have known him very well in the time that he was a member of this House.

Mr POOLE (Araluen): Mr Speaker, I rise to support this condolence motion. At the outset, I should say that, of all the members on this side of the House, I probably knew Don Dale the least. Basically, that is because of the length of time I have been in Assembly and because I live in Alice Springs. Before I came to the Assembly, I do not think I had met Don, apart from at a couple of social functions in Alice Springs. My initial impression of Don Dale was that he was a fairly average guy. It was only after working with him and spending some time with him that I really developed the respect that I have for the man.

Don's contribution to the Northern Territory has been well covered today. Don's memory reminds me of some highs and lows in my own life. One of those was when I was told, about 3 days before an Assembly sittings, that I was to be responsible for the portfolio of Health and Community Services because of Don's illness. I thought: 'Yes, I would really love to have responsibility for the portfolio, but I do not have much time to obtain the background briefings I will need to deal with matters raised in question time and issues raised by the opposition'. I must say that it is a tribute to Don that his department responded so well and assisted me so well during the short period during which I looked after his portfolio. It is a tribute to Don's sense of humour that, after I answered a question one day in this Assembly, he rang his press secretary and said: 'Look, stop briefing Poolie

so much. He is doing too good a job. I want the job back when I come out of hospital'. His sense of humour in the face of the illness he suffered was quite remarkable.

I am sure that Don will be remembered fondly by all of us. Hopefully, in the passage of time, there will be numerous reminders to everybody in the Territory of Don's contribution. I think it is a tragedy that anybody should pass away at Don's age and I offer my heartfelt sympathy to his family, close friends and all those many people who supported him. I conclude by expressing my support for this motion of condolence.

Mr SPEAKER: Honourable members, I would also like to offer my condolences and sympathies to Don's family, friends and relatives. I first met Don Dale in 1975, 2 weeks after Cyclone Tracy. We were all billeted out and were staying in what was the old Koala Hotel between the Esplanade and Mitchell Street. We had very humble quarters but we used to meet each morning for breakfast. We would discuss what had happened in the previous couple of days and where we were going as far as the future of the Northern Territory was concerned. I had not known Don before that time and I thought he was rather an extraordinary policeman. He was really worried about the future of the Northern Territory. I had been elected to parliament only about 4 months previously and I was also wondering, as were many other people very close to me, what the various commissions, including the Darwin Reconstruction Commission, might do to us. We actually met for lunch in the room where this Chamber is now located, in a place called Big Al's Restaurant, in the early days of February a little over 15 years ago.

As the years went by and Don became involved in the Darwin City Council and represented an area on which my electorate impinged, we came to know each other much better and developed a very good working relationship. In about 1982, Don telephoned me. He asked me about his chances of obtaining a job as Registrar of the Liquor Commission, for which I had responsibility in those days. I said: 'Don, I do not think your chances are that hot because quite a few people will be throwing their hats into the ring'. I said: 'Why don't you think about preselection for the seat of Wanguri in the forthcoming Assembly elections'? He said: 'Do you think I have a chance of winning preselection?' I replied: 'You have been an alderman for a number of years. Many people in the area know who you are and I think you have an up-front start'. He did what I suggested. He threw his hat into the ring and history speaks for itself in respect of what happened.

I am on the public record with my parliamentary colleagues as saying that I believe that Don Dale was the hardest working minister that the Northern Territory had between the years of 1986 and 1989. I still support that statement and my parliamentary colleagues on my side of the House reiterated that.

Don will be remembered for a long time and I am quite sure that, in the opening of this new Chamber today, his spirit is with us. I ask that honourable members signify their support of the motion by standing in silence.

Members stood in silence.

Mr SPEAKER: As a mark of respect to the memory of Donald Francis Dale, the sittings of the Assembly is suspended until 2.30 pm.

Mr Speaker Dondas resumed the Chair at 2.30 pm.

PETITION
Palmerston Bus Service

Mr COULTER (Palmerston): Mr Speaker, I present a petition from 559 citizens of the Northern Territory relating to the bus service from Palmerston to Darwin. The petition does not bear the Clerk's certificate as it does not conform with the requirements of standing orders. I seek leave for the petition to be read.

Leave granted; petition read:

We the residents of Palmerston have no confidence in the Darwin Bus Service providing a service to Casuarina and Darwin. We have no means of alternative transport to work, school or hospital. In the past, Bus Link has provided us with a very reliable service and we feel that they should be given routes 8 and 9 to enable us to get to our destinations.

STATEMENT
Filming of Library Footage

Mr SPEAKER: I advise honourable members that I have given approval for the ABC and Channel 8 to film library footage in the Chamber at question time today. I have also given 8 Top-FM permission to record question time and to re-broadcast it at a later hour today.

STATEMENT
Trade Development Zone

Mr COULTER (Industries and Development)(by leave): Mr Speaker, firstly I must pay credit where credit is due. The campaign mounted against the Trade Development Zone and its participating companies has been well organised and well orchestrated. It has been handled in a disciplined fashion across a whole range of Labor Party officials and representatives, union organisations and Commonwealth ministers, departments and agencies. It has been calculated to cause maximum political damage to the Northern Territory government generally and to the Trade Development Zone in particular. There can be no doubt that it has largely achieved that target.

The question to consider is the cost of this campaign to all Territorians and their children who want to stay here and work here in the future.

Mr Smith: Will we get copies of this?

Mr COULTER: I sought leave. I do not need to circulate copies.

Mr Smith: So you are not giving us copies.

Mr COULTER: You are supposed to be well-equipped on this subject. You had the opportunity to bring on a censure motion or a substantive motion and you have chosen not to do so. Now you want copies of my speech. Mr Speaker, that has always been the way of the Leader of the Opposition. He has always been prepared to sacrifice future benefits to the Territory for short-term political gain. That is the case here again today and it is a sad reflection on his inability to learn from his mistakes. One of his mistakes is that he cannot keep friends and he has nobody left.

Mr Speaker, I intend to deal with the issue of living and working conditions for Chinese nationals at the Trade Development Zone and what is being done to address the problems that have been identified. It is also illuminating to consider the motives of the various parties involved. Is it wholly a matter of deep concern for the welfare of the Chinese guest workers? If it were simply that and no more, surely the public matters of the past fortnight would have taken a different course. You might think, Mr Speaker, that a reasonable course of action for a union official would have been to take any matters of concern to the authorities set in place to handle such concerns. You might well think, for example, that any such matters would have been put before the Labour Agreement Monitoring Committee which was established in October last year to oversee the circumstances of Chinese guest workers at the Trade Development Zone. That committee, set up under the umbrella of the ACTU, the Commonwealth Department of Immigration and the TDZA itself representing employers, without doubt, in my view, is the correct avenue for the sorts of concerns expressed freely over the past 2 weeks. I note that the committee chairman appears to have some confusion about this role following the committee's special meeting in Darwin this week, but the ACTU has no such doubts.

In any event, any issues raised at the first monitoring committee meeting in November last year were of a general nature, without any sense of drama or urgency, and certainly not in the realms of the extreme allegations of the past fortnight. Instead of following a reasonable course of action with the proper bodies and authorities, a deliberately political strategy was developed through active conspiracy. Vital information was withheld. As honourable members now know, the Federal Police are investigating this matter and, in particular, the circumstances in which a Chinese guest worker hurriedly left Darwin for Melbourne.

Central to the conspiracy have been the activities of Ms Trish Crossin, who appears to occupy a peculiar variety of real and de facto positions, courtesy of the taxpayer. Ms Crossin, the wife of the Secretary of the Trades and Labor Council, responded to an advertisement for the establishment of a migrant resettlement officer in Darwin. She got the job without any other applicants even gaining an interview. In this position, she is funded by the Department of Immigration to assist migrants with resettlement problems. However, the great bulk of the work she does is as a de facto organiser for the Miscellaneous Workers Union and as a political officer of the Australian Labor Party. In other words, she is an extra arm of the union without the union having to pay for it. Her role in this matter has been pivotal.

Ms Crossin has been in the closest advisory position to the Chinese guest worker who fled to Melbourne on 4 February. She appeared on a Miscellaneous Workers Union panel interviewed during the course of my investigations. She has appeared many times at the zone, acting under a union flag, demanding to inspect books and conditions. The Confederation of Industry and Commerce has written to the federal Minister for Immigration about its concerns at her activities and I cannot imagine that he will be comfortable about the circumstances.

The campaign has sought to generate a series of public horror stories about living and working conditions of Chinese guest workers with a purely political end in mind. Any real concerns about the fate of the Chinese guest workers have been of a secondary nature - and that is putting it in the best possible light. There are forces within the conspiracy who are totally opposed to the entire concept of foreign guest workers in the Trade Development Zone, or anywhere else in Australia. They are also totally

opposed to the concept of the zone itself. The honourable Leader of the Opposition will have knowledge of this. He knows exactly who I am talking about.

Mr Smith: No, I don't! Tell me.

Mr COULTER: They do not give 2 hoots about the welfare of the Chinese guest workers here, even though that is the mask that they may be currently wearing. I stress at this point that I am not necessarily referring to all elements of the local union movement. While I am not excusing the Trades and Labor Council and the Miscellaneous Workers Union of heavy involvement in the general conspiracy - and honourable members will recall my comments in relation to that during question time today - in general terms, I believe that they have some sort of commitment to the future of the zone. Naturally, they want the zone to be shaped to their own ends. They, however, have not been elected to govern the Northern Territory, even if at times they think that they have been. Neither am I referring to the ACTU, which has likewise expressed its belief in the value of the zone and its aims. However, the activities of delegates of certain other southern-based unions are extremely suspicious and their motives highly questionable. Unfortunately, they have representatives on the zone premises this week and it is my sincere hope that the union movement generally can sort out its own factions and infighting on this whole matter.

I am asked to believe the Leader of the Opposition when he says that he supports the concept of the Trade Development Zone. It is difficult to do so, given his track record. However, if he is genuine in his assertions, he will agree that the Northern Territory currently has a problem of considerable proportions before it. He can rant and rave about it in this place but the real issue is what must be done to address the problem. The Leader of the Opposition wants heads on platters but that will not fix anything.

Let us not mince words. Today, the whole future of the zone is under a cloud. Its success depends, at least at this stage, on the establishment of large factories which have the capacity to generate product on a scale not previously known in the Territory. The Leader of the Opposition has previously argued that he would prefer such investment from within Australia. I have no problem with that, except that it has not been forthcoming and there is no current sign that it will be forthcoming. The answer has been in Asia, particularly Hong Kong and China, and our successful efforts in those areas have been well documented in this Assembly.

Critical to a great deal of Asian investment in the zone is the employment of skilled workers. They are simply not available in this country in anything like the numbers required. It is of paramount importance that proper agreements are in place to allow the initial employment of skilled workers in particular zone factories and that a proper training and skills transfer program is in place to develop a suitable local work force. If this is not the case, the Asian investment will not occur. The situation facing the Territory today is that, through an inept performance of one of the zone participants, the future of the skills transfer program is in jeopardy. That means that 2 operating companies at the zone and other companies due to come into the zone this year are in jeopardy.

We have to get it right. That means all of us in the Territory, beyond the boundaries of the battle lines of political parties, unions and employers. The Trade Development Zone is just about the best thing that the

Territory has going for it in terms of wealth generation, economic stimulation and job creation. Many small business operators in Darwin today owe their survival in the current strict national economic climate to the Trade Development Zone and its participating companies. The value of capital works at the zone has escalated from $9m in 1988-89 to $17m in the current financial year and I expect it to at least double in the next financial year.

I believe I have demonstrated my credentials in the past week on the score of getting it right. I have addressed the problem firmly and squarely. I have found fault with the zone's monitoring procedures and, again, I have moved decisively to establish a better system. I have not attempted to duck the issues in any way. Too much is at stake to play political games and that is what the Leader of the Opposition wants to do. Part of his game is an attempt to place all the many allegations directly at my feet, suggesting that I should have done something personally to prevent events occurring. This is plainly ridiculous. Does he suggest that I should have mounted a secret surveillance operation outside the Hengyang units in Woods Street or crept around the back doors and corridors as one union organiser did? Does he suggest that I should have personally broken in the door of the Hengyang factory at midnight, as a union representative did? Does he really suggest that that is the correct behaviour for a minister of the Crown?

I have relied on the systems that were put in place to monitor the performance of factories in the zone. Part of that system is the responsibility of the zone itself, but only part. Clearly, under the terms of the tripartite agreement, responsibility must also be accepted by the other parties to that agreement: the ACTU and the Commonwealth government through its agencies the Department of Immigration and the Department of Employment, Education and Training which actually chaired meetings of the monitoring committee. Nobody would have the temerity to deny that the Northern Territory government, through the Trade Development Zone Authority, has shouldered its fair share of responsibility for inadequate foresight into the problems brewing at the Hengyang factory. Other parties to the tripartite agreement have been far less forthcoming about their stated responsibilities.

The Leader of the Opposition is being highly selective in his criticism because that suits his political agenda. He says, in summary, that the Trade Development Zone had adequate warnings from the union movement about breaches of awards and human rights abuses. That, of course, is sheer exaggeration. Most of these so-called warnings were about industrial relations issues. Others, often couched in highly provocative political language, were no more than generalisations about possible award breaches. Certainly, nothing in the nature of the more extreme allegations about violations of civil liberties that have surfaced in the past fortnight has ever been put to me by the union movement.

I have said publicly and without in any way shrinking from the issue that I have not been satisfied with the zone's performance in providing proper information or foresight into problems that were obviously brewing. I have given undertakings that a better monitoring and observation system will be put in place. I moved decisively to correct problems when they became known to me. I have been completely open about my views on the matter and now it is time to move on positively.

Mr Speaker, let me now deal with a range of allegations which have surfaced in recent days. Without in any way attempting to trivialise what

is of concern to us, I say without fear of contradiction that much of the nonsense has been bandied about by people who do not know what they are talking about. Much has been hysteria, sensationalised by the local media feeding off the union movement and the ALP, even though both claim innocence. In some cases, it has been a case of the media feeding off itself. It resulted in the Leader of the Opposition saying things like 'Coulter has admitted grave and systematic abuse of human rights' and 'Coulter has said slave labour conditions exist' when, in fact, I have neither said nor admitted anything of the kind. There has been a heady atmosphere of dramatic overkill, breathless revelations and clandestine meetings. Much of it has been based on hearsay. Established facts are few and far between.

I have no doubt that the generally unhappy living and working conditions that apply to Chinese guest workers at the Hengyang factory are the direct result of clumsy and careless management style by Hengyang, poor communication and a lack of understanding by Australians injecting themselves into a situation and seeking to place their own values on all the circumstances. Let me put it this way: the only irrefutable evidence so far put before me of intimidation of Chinese workers has been the physical and verbal harassment of one individual by Les Rochester of the ABC's 7.30 Report and that was on the screen for everybody to see.

The investigation that I launched was aimed at cutting through the hysteria, establishing firstly whether a problem really existed and, if it did, what could be done to overcome it. As I have said repeatedly, I did not set out to prove or disprove each and every allegation. There are other bodies and other authorities which have been examining that sort of detail and which are better placed to do so. We have been working cooperatively with them. My investigations quickly showed the nature and essence of the problem and then I moved to do something positive about it.

Hengyang has been directed by me to fix a range of problems as soon as possible at the risk of losing the company's licence to operate in the zone. Overtime payment discrepancies will be remedied and Chinese guest workers will be paid what is due to them retrospectively. The amount is still to be determined by Coopers & Lybrand, the independent firm of accountants engaged to examine the company's books and check a range of other matters. We have decided to extend the brief to allow Coopers & Lybrand to look at the operations of other companies in the zone, including Darwin International Textiles. Hengyang has also been directed to sort out industrial and staff relations issues at the factory as soon as it is possible to do so. I am pleased to report that Mr Chris Lai of Peat Marwick Hungerfords has been seconded to the company in a managerial capacity to participate in this exercise.

Hong Kong directors of Hengyang are expected in Darwin later this week to oversee this work. As part of the intensive review of the company's operation in Darwin, close attention has also been promised by Hengyang to the living conditions of guest workers. The company is in no doubt about my wishes. I am demanding that Australian award conditions exist in all circumstances for all the Chinese workers at the factory and that Australian standards of freedom of association equally apply to the Chinese guest workers outside working hours. Nothing less will suffice.

I am also keen to see the existing system of deductions from the pay of the Chinese guest workers amended to conform better with what might be reasonably expected in Australia. The company is seriously examining the option of dispensing entirely with deductions, giving to the guest workers

the Australian award wage in line with Australian workers in the factory and leaving them to sort out their own priorities. That might sound a desirable alternative to you, Mr Speaker, but it is not that simple. There is no question that the guest workers themselves feel a strong obligation to remit money back to their families in China in US dollars at their own request. There is also no question that a deduction system was requested by the guest workers, leaving them with a net pay situation. Apart from that, I would not accept any situation in which they were simply turned out from the company's accommodation facilities and left to fend for themselves.

However, within those parameters, there seems to be ample room for effective compromise and I would expect this matter to be resolved very shortly. In my dealings with the company in recent days, I have found a willingness on the part of the Hengyang board to address all these issues swiftly and positively. Nevertheless, I am putting in place a new monitoring system at the zone to assure me that all is being done to our satisfaction. Previously, the zone has relied on assurances by companies and that is obviously no longer good enough. As soon as possible, the zone will take on staff an executive industrial relations expert. Advertisements for this have already appeared.

As well, I propose setting up a consultative body to advise on all industrial relations matters. On this point, I am extremely disappointed that the Trades and Labor Council cannot seem to divorce itself from the political arena. Before any public announcements were made in relation to this, my office contacted the TLC secretary, Mark Crossin, to float the concept with him. He reported that he was generally in approval. However, he then published a letter saying the consultative body was announced without prior consultation. I am not suggesting that the contact between my office and him constituted a formal process of consultation but, in the circumstances, I think it is very fair to say that I went out of my way to seek his opinion. Certainly, he did not go out of his way to contact or consult me, and consulting is always a 2-way street. Mr Crossin's subsequent actions are not indicative of promising a new start to an era of cooperation.

However, to return to the consultative body, I would expect it to comprise 4 people: a nominee from the Trades and Labor Council, a nominee from the Confederation of Industry and Commerce, a representative from the zone and a chair occupied by a respected industrial relations expert. The process to establish this body is already under way. As a result, I hope the whole issue of industrial relations at the zone can be evaluated and an improved policy can emerge, despite Mr Crossin's latest efforts.

If the Leader of the Opposition wants to denigrate all the positive moves, then he does so without credibility. He cannot even begin to argue that I have not addressed the problems and the issues swiftly, firmly and positively. His case really is all about chopping off heads, spilling blood and generally instituting a modern-day version of the French Revolution. I dismiss this contemptuously as negative, unhelpful, useless and pointless. No honourable member in this House can be in any doubt whatsoever that the Leader of the Opposition has engaged in a highly vindictive, personal attack on the Chairman of the Trade Development Zone for years. There is so much evidence of this, that it cannot be refuted by him.

The great majority of his union cohorts are now looking at the positive side and planning to work with us to bring about a better future for the zone and its predicted 3-year job target of 5000 workers. Of course some serious problems remain to be addressed. The terms and conditions of

contracts between Chinese guest workers and their employment agencies in China are of grave concern to both the Northern Territory and the federal governments. Questions have to be asked of the federal Immigration Minister about the role of his department in this matter. Why were visas issued by the Immigration Department without proper and adequate checks? It is the clear responsibility of the Department of Immigration to do this.

Much has been said about these contracts and their contents. Let me reiterate the position of the Northern Territory government and the Trade Development Zone. Our minimum position is that any conditions relating to living and working in Australia are totally overridden by Australian standards of acceptability, including the fact that Australian award conditions apply without compromise in the work place. However, the mere existence of the contracts is a vexing problem for all concerned and they cannot be allowed to continue to be issued in their current form.

I have given my undertaking to the federal Minister for Immigration that the Northern Territory government will work with him to address this issue with authorities in China. These contracts are not exclusive to the Chinese guest workers at Hengyang. The federal government believes that they apply in similar terms to Chinese workers in all states of Australia and even to Chinese workers employed at the Australian Embassy in Beijing. In fact, it is believed that they apply to Chinese guest workers in numbers reaching several hundred thousand all over the world.

I have been asked at various times whether I knew about the terms and conditions of the contracts. I did not. Neither did anybody else, including the Department of Immigration, the Department of Industrial Relations and the ACTU. The contracts are between individual Chinese workers and the Chinese employment agency. No other person or authority is party to them. Now that the contents have been revealed, however, the necessity to do something about them is a matter mainly for the Commonwealth to address at the highest level.

For our part, we will insist that any future arrangements for Chinese guest workers at the Trade Development Zone will be unacceptable if they are associated with contracts in this form. Work has already started on this and the initial reaction from China has been positive. We will want to see any new contracts before they are exchanged, and I am confident that position will be reached. Other matters also need to be fully resolved, and they are better left to appropriate bodies such as the Labour Agreement Monitoring Committee and the new industrial relations wing being set up at the zone.

The real issue before us today is the future of the Trade Development Zone and its enormous potential to be a cornerstone in the Territory economy. It has been a bad month for the zone, particularly in relation to the confidence of Asian investors. The task is now to fix up the problems that have emerged, to learn from them, to put in place systems and mechanisms which give the zone a stronger industrial relations base, and to get on with the job of restoring confidence and creating wealth and jobs for the Territory. I am committed to that and the Leader of the Opposition and his colleagues should express a similar commitment here today. The zone is too important to the Territory. It is vastly more than a political plaything for members of the Legislative Assembly. It will be here as a bustling, working and prosperous enterprise long after you and I are gone from this place, Mr Speaker. We are building it for future Territorians and we must not let it be tainted by unworthy political games.

Mr Speaker, I move that the Assembly take note of the statement.

Mr SMITH (Opposition Leader): Mr Speaker, the Minister for Industries and Development certainly does not lack cheek nor does he lack front. I must give him credit for that. Here he is, with a ringing call on the last page: let's work together to resolve the problems of the zone. That comes after his falsely accusing me, in question time, of inciting a woman to escape from the zone and go south, and I take this opportunity to say that I have never spoken to Miss Huang Hanying let alone met her, and perhaps the Minister for Industries and Development might like to apologise.

That comes on top of 15 pages of conspiracy allegations. Now we all know that, when you get into strife, you say that it is because of a conspiracy, and that is what is happening here. The Minister for Industries and Development wants our assistance but the problems are not his. The problems are the result of a conspiracy to undo the zone. The Minister for Industries and Development said that he has demonstrated a desire to get it right out at the zone, and he has half demonstrated that. But he will not address the question of why it will not work. He is too busy blaming everybody else, when the problem lies in his own backyard, as he admitted last week in his press conference when he said: 'the buck stops here'.

He received a bit of fancy political advice from Mr Houlihan - advice sought on 15 February, and received on 16 February - and then thought he could do a swift shuffle and blame the Commonwealth government and the ACTU. Well, it will not work. If the Minister for Industries and Development wants our assistance, he has to start facing a few facts. I agree with him on one point: the future of the zone is under a cloud. The opposition did not put its future under a cloud. That came about because of the actions of a brave individual called Huang Hanying, and I will come back to her in a minute. The future of the zone is under a cloud because this government has not put in place proper agreements, in the words used by the honourable minister. It has not put in place proper training and skills transfers.

Let me give you a classic example, Mr Speaker, of the problems which exist in the Trade Development Zone. Yesterday, after 2 or 3 weeks of debate in the media about what was going wrong, there was a meeting of the Labour Agreement Monitoring Committee. The Trade Development Zone Authority put forward 3 propositions. Not one of them was new and all of them involved setting up different committees to assess things. It was the ACTU which presented 3 pages of details about award breaches and violations that it wanted fixed. These breaches did not relate to the fact that there was lino on the floor instead of carpet or that there was no pie warmer in the corner. They were seeking an end to 24-hour shifts, no further Sunday work without agreement, a guarantee that reasonable overtime only will be worked, that workers will be paid weekly in cash and receive a pay slip showing all earnings including overtime calculated on a daily basis, that accurate and detailed time and wage records will be kept as per the award, and that there will be morning and afternoon rest breaks for all workers. It was seeking to obtain for the workers a decent contract that will meet Australian award conditions.

Those are the key, important issues but, yesterday, the Trade Development Zone Authority did not have the wit to take them to the tripartite meeting, even though it knew that they would be raised there. Unlike the ACTU, the TDZA representatives came up with no particular initiatives which could fix these problems. All they had was a suggestion to put in place more committees. Unfortunately, that is an indication of

the level at which the Trade Development Zone Authority has handled this matter. On this side of the House, we have no hesitation in sheeting this whole matter home to the Trade Development Zone Authority, and particularly to its chairman, because that is where the fault lies.

The real problem now is this. We may well have fixed the award breaches, the living conditions breaches and the human rights violations involving that particular company in the Trade Development Zone. We may have fixed those problems but, if we have, we have created a massive problem for those Chinese workers because they now face a very real choice in terms of what they should do. Should they follow their Chinese contract? Incidentally, although I find this hard to believe, I understand that the government still has not seen a copy of the Chinese contract with the workers. I have a copy. Why doesn't the government have a copy? At the meeting yesterday, as I understand it, the Trade Development Zone Authority said that it did not have a copy of that contract.

We have a situation in which those women have a very real choice to make. They have a Chinese contract which provides for them to receive very little money and imposes severe penalties if they do basic things such as join unions. Hopefully, in the near future, they will have an Australian contract which will give them award conditions and spell out their rights to join unions and take part in the normal democratic way of life that we have in Australia. I would like the minister to tell me which contract those workers will follow. What advice is he giving to those workers as to which contract they are to follow?

This is no light matter. I would have thought that, as a result of what happened yesterday in the tripartite meeting, when I asked the honourable minister that question this morning, he would have been able to provide me with an answer. But no, he has not even thought about it. He has not thought of the consequences of that. It is all very well for the Trade Development Zone Authority, the ACTU, the DEIR and the Department of Immigration to say that the matter has been fixed and that Australian award conditions apply to the workers, but that does not solve the problem of what happens to those Chinese workers in respect of their Chinese employment agency contacts and what happens to those Chinese workers when they go back to China. I do not blame the ACTU for that. It is responsible for ensuring that conditions are appropriate in the Northern Territory.

The Trade Development Zone Authority had a clear responsibility to ensure, in its negotiations with Hengyang, that there were no conflicting contracts and that there were not slave labour arrangements in China which would hold the women workers hostage in the Northern Territory and make it difficult, if not impossible, for them to choose to live a full and satisfying life in Australia and gain some material benefit.

Whilst I am talking about material benefits, I point out that many of those women came over here so that they might learn some English. After 9 months, the Northern Territory government still has not been able to arrange for that to occur. The Chinese workers at the zone have not been given the opportunity to learn English. That is another step which the ACTU was able to negotiate yesterday. I will read the specific item: 'That a language audit be completed by the end of March prior to English language and literacy courses commencing in April'.

Mr COULTER: A point of order, Mr Speaker! Could the honourable member table the document from which he has just quoted?

Mr SMITH: I will be happy to do that at the end of my speech, Mr Speaker.

Quite clearly, there was an obligation on Hengyang and the Trade Development Zone Authority to provide English courses and that has not happened.

To return to my main argument, we have 2 major problems. The first is that there is no doubt that the Trade Development Zone Authority is under a cloud. The second is that there is no doubt that, through the inaction of the Trade Development Zone Authority, the 76 women workers currently employed at the zone by Hengyang have been placed in a very invidious position indeed. According to this document, 'Temporary Residence in Australia: A General Guide', as well as under the tripartite arrangements, the Trade Development Zone Authority is regarded as the employer for the purposes of these matters. It is simply not good enough for it to decide to wipe its hands of this particular matter and say that what happens to those Chinese women workers when they get back to China is not its problem.

If the Trade Development Zone Authority had handled the matter properly from the outset, we would not have this situation. However, 'jobs, jobs, jobs' Coulter is prepared to create a job at any cost. He is prepared to waive any formalities such as requirements to meet award conditions simply to create jobs in the Northern Territory. He has placed those women workers in a very invidious position indeed. I would like someone to tell me categorically, in this debate today, how the Northern Territory government intends to handle the interests of those women workers so that they are not prejudiced one way or the other.

Mr Speaker, let me come back to this charge of a conspiracy. The minister argues that the whole matter has been a conspiracy between the Labor Party, the labour movement, Australian workers at the Trade Development Zone, the media, and whoever else he can find to poke a stick at. That is today's story. A week ago, the story was that it was all a boy meets girl problem. The minister tried to argue that the matter had arisen because a boy met a girl and love had to take its course.

Mr Coulter: You deny that that is the case, do you?

Mr SMITH: He said that the boy took the girl away to Melbourne and that everything happened from there. That does not tally with either the conspiracy theory or with the theory that there was a meeting in someone's office to set this thing up. Of course, the first that I knew of this matter - and the first that most people in the Northern Territory knew of it - was when I read in the Sunday Territorian that Miss Huang's solicitor in Melbourne, Mr Wong, had made a statement indicating that she had left the zone and had serious concerns about what had happened to her there.

Mr Coulter: That is the first you heard of it, is it? In the Sunday Territorian on that day.

Mr SMITH: Yes, it is.

Mr Coulter: Is that right?

Mr SMITH: Yes.

Mr Coulter: You had never been approached by anybody or involved in any discussions.

Mr SMITH: No, I had not. Do you want me to say it again?

Mr Coulter: No.

Mr SMITH: That is the first time I had heard of it. I had not heard of it before. I did not have a meeting with Miss Huang and I have never spoken to her. I do not know what she looks like. I do not know how old she is. Does that satisfy you?

Members interjecting.

Mr SPEAKER: Order!

Mr SMITH: According to the honourable minister, the whole situation arose as a result of a romantic attachment which just arose overnight. That claim has now been discredited. The minister therefore wants us to believe that Miss Huang had her hands tied behind her back and was told by some horrible union and Labor Party members to find a boyfriend to take her to Melbourne so that she would be out of the way. Obviously, that is nonsense. The changing positions taken by the minister are indicative of the slippery and deceitful approach adopted by the government in its efforts to duck and weave its way through the problems.

The matter actually began with the letter from Kerry Rice to the Department of Immigration. Kerry Rice had telephoned the department to ask about the procedures for cancelling a visa and was told to put the matter in writing. That is how the matter began. If that is not the case, I challenge the minister to refute the contents of the letter. It goes to the essence of the way the Northern Territory government has handled this matter. In order to save the zone any possible embarrassment, it was prepared to put that woman on a plane and send her back to China, knowing that she would receive severe punishment. It may not have known what was in the contract, but it would not take much wit to work out that, if she went back to China in some disgrace, she would be severely dealt with. Members of the government were prepared to do that. They were prepared to sacrifice that young woman, who was brave enough and strong enough to bring this matter into the open, in a desperate attempt to put the lid on what was happening in the Trade Development Zone.

That young woman will go down in the annals of Northern Territory political history as a very brave person. It takes a lot of guts, when one is in a foreign country and does not speak the language, when one is living in employer-provided accommodation, when one is so screwed down by an employer that one cannot go out after 10.30 pm, to break out and take action. I pay public tribute to that young woman who may, in the long run, have made a significant contribution to the development of the Trade Development Zone by providing the catalyst which finally gets it back on the road by making sure that we get things right out there. We have certainly got it wrong often enough and it is about time we got it right.

Let us have a look at the ducking and the weaving that has taken place ever since this matter came to light. As I said, it began in the first few hours when the Chief Minister stated on talkback radio that we should see it 'as a hiccup rather than a serious challenge to the zone'. He was speaking about Chinese workers who have been exploited, who are living in slave-like conditions, whose contracts were not vetted when they came to the Northern Territory. In fact we know that, as of yesterday, the Trade Development Zone Authority had still not seen a copy of the contract between the Chinese workers and the employment agency in China. I have a copy. Other people

have copies. But it was beyond the wit of the Trade Development Zone Authority or the Northern Territory government to obtain copies and find out what the conditions were.

Mr Perron: Maybe we prefer legal sources of information. Did you think of that?

Mr SMITH: Those conditions are pretty horrific, Mr Speaker. Workers receive $120 a month pocket money. They have no right to strike and must obey the employer's demands at all times. There are other similar conditions and workers are told that, if they do not comply, they will be severely punished.

Mr Collins: That is China, isn't it?

Mr SMITH: Thank you. That is China. I would have thought, Mr Speaker, that it was the responsibility of the Trade Development Zone Authority, which acts as the employer under the tripartite arrangements and attends meetings on behalf of the employer, to ensure that workers were not bound by slave-type contracts which would prevent them benefiting financially and socially from their experience in Australia. Unfortunately, the authority has not exercised that responsibility.

I understand that, without consulting the Minister for Industries and development, the Chief Minister said that the chairman of the authority would continue in his position. I understand the minister's problem, having had that sprung on him without any consultation and before the Chief Minister knew anything about what was happening at the zone.

Last November, when these issues first began to come to light, the Minister for Industries and development dismissed Peter Tullgren of the Miscellaneous Workers Union as a racist. He said that Mr Tullgren was trying to create trouble, was racist and had white colonial attitudes. It appears, however, that it is not us who have the white colonial attitudes. It is the Trade development Zone Authority, which is prepared to allow overseas workers to come into the zone without checking whether they have appropriate award conditions, whether their human rights are being properly respected and whether their living conditions are somewhere near the types of living conditions that we would expect in Australia. Those are all the things that have happened. Those are the reasons why this issue has taken off in such a big way and will not go away.

We on this side of the House accept that we played a part in exposing these abuses and we are proud of that. We accept our part in ensuring that the justice demanded for these workers is provided and we are prepared to cooperate, as we always have been, in helping the zone to work. However, we will not be prepared, and I say this as simply as as clearly as I can, to cooperate with the Trade Development Zone whilst the present director, Ray McHenry, is in charge. If the government wants the opposition to join in the reconstruction of the zone, Ray McHenry must go. Simply stated, that is our position. I will tell you why he has to go, Mr Speaker. He has to go for one reason and that reason is that this is simply the latest in a series of disasters. Who could forget Hungerford? No checks were made on the financial bona fides of that company and that company went down.

We are not talking about a company and a managing director like Rupert Hungerford who can go back to Brisbane and earn a living. In this case, we are talking about 76 individual Chinese workers who are in an invidious position because Ray McHenry and the Trade Development Zone

Authority did not do the necessary checks to ensure that, when they came to the Northern Territory, they would be fully protected and that, before they left China, they would have a reasonable contract. Ray McHenry set up the deals which brought these abuses to the Northern Territory. Mr Speaker, if you want any evidence of the one-off style of Ray McHenry, you need only recall the Laurie Jones debate. One of the reasons for the resignation of Laurie Jones, a former board member, was Ray McHenry's secretiveness and his inability to take the organisation into his confidence and to use it properly.

The Hengyang deal was stitched up by Ray McHenry personally and he has the responsibility when it goes so seriously wrong, as it has now. He must be sacked because he repeatedly lied to the unions about the abuses. He told them that he did not know of any contracts. We know from the honourable minister's words last week that, in fact, the government knew that there were contracts but did not know what was in them. It knew that there were contracts but it did not bother to look at them to see whether anything in them would impinge on the ability of those Chinese workers to live full lives in the Northern Territory. If you are an employer inviting a company into Australia, you ask and you check whether it has a contract with an employment agency in its country of origin. If it does, you examine the contract and, if you have problems with it, you sort them out. You do not put workers in the invidious position in which they have been placed in this case.

Mr McHenry knew of the contracts. However, he did not bother to ascertain the details contained in them. He then lied to the unions about whether there were contracts or not. The unions asked specific questions last year about whether there were contracts and they were told that there were no contracts. We are left with no other conclusion than that he was involved in a deliberate and systematic cover-up of the abuses and that he knew or suspected very early in the piece that there were abuses, but did nothing about it.

He must be sacked because, on the very same day last week that the honourable minister made admissions in his now infamous press conference, he refused to accept any responsibility whatsoever. On Thursday, the honourable minister said: 'The buck stops with me and I wear the blame'. However, he has changed his story since he received some advice from Hotshot Houlihan which, he thinks, might save him from the mess. Last Thursday, when the minister was saying that the buck stopped with him, Ray McHenry was saying it had nothing to do with him: 'It is the ACTU. It is the federal government departments. It is not me. I am a cleanskin'. Mr Speaker, the community will not wear that. The Trade Development Zone Authority is seen by the community as the agency responsible for bringing those workers into Australia and as the agency responsible for ensuring that they work under award conditions. Quite clearly, that has not happened.

Ray McHenry's management of the Trade Development Zone has tolerated human rights abuses. In a sense, it has organised those human rights abuses or at least allowed the employer to organise them and it has concealed those human rights abuses. If, as the honourable minister said last week, Mr McHenry is the zone in Asia, he is a source of shame to us in the Northern Territory for what he has done to our reputation in Asia. There is no doubt that our reputation has been severely damaged by this episode. It has been damaged because the Trade Development Zone Authority and its chairman have not done their job properly. The chairman needs to pay the price.

Mr Speaker, let me conclude. I can agree with the honourable minister on one thing: the Trade Development Zone is at a point of crisis. That point has been reached, not as a result of any conspiracy, not as a result of any determination by a group of people to bring it down, but as a result of the determination by a group of people to ensure that workers there are treated like other workers, that workers there do not have to work 24-hour shifts, that workers there are not paid 15¢ an hour for overtime but are properly compensated, that workers are not forced to live 7 to a room and that workers do not have a 10 o'clock curfew with lights out at 10.30 pm. That is why this issue has come to a head. If the government wants our cooperation, it has to show a genuine commitment to the future of those workers. That means sorting out conflicting contractual arrangements between Australian award conditions in the zone and the workers' contracts at home. Further, it means replacing the present chairman.

Mr SPEAKER: Earlier in the debate the Leader of the Opposition was quoting from a document which he was asked to table by the Minister for Industries and Development. Is the Leader of the Opposition seeking leave to table that document?

Mr SMITH: Yes. I seek leave to table the document.

Leave granted.

Mr PERRON (Chief Minister): Mr Speaker, one thing is certain: if the ALP had been in government these past few years, we would not be having this debate today. There would not be any problems at all to be resolved at the Trade Development Zone. There would not be a Trade Development Zone. We have 5 companies at the moment operating in the zone and many more in the pipeline which are proposing to establish. I believe that 14 letters of intent are in hand and another 5 letters of intent are on offer. $26m has been spent on servicing land and constructing buildings in the zone. 307 people are employed there including 29 employees of the zone authority. 189 of those people are either from the Territory or from interstate. That leaves about 118 workers from overseas, be they the guest workers in the factories or supervisors and managers who have been brought in by the companies.

Hengyang, the company that is the topic of debate these days, alone employs 211 people of whom 137 are locals. In anyone's interpretation, Hengyang is a very significant employer in the Northern Territory today, as an individual company. None of the locals who are working for the company, none of the 189 people who are working in the Trade Development Zone generally, or the workers who are there subdividing more land and constructing more factories, or the very many Darwin residents indirectly employed because of the high level of activity at the zone would have a job today if our friends opposite had had their way and if they had been in government with their policies. It would be drawing a long bow to imagine that they would have established a trade development zone. That is because establishing such a zone takes a fair degree of courage. If they had established one, they would have closed it down as soon as the first projections appeared to be pessimistic or if a company in their zone failed and caused some embarrassment to them. They would have been incapable of taking a bold step and importing guest workers from overseas because we simply do not have the numbers of skilled workers who are prepared to live in the Territory. There are not enough skilled workers in Australia who want to live in the tropics. It would have been too hard for the members opposite, I am sure, to grapple with the problems of dealing with unions and others to take this bold step of bringing guest workers from Asia.

Members opposite do not have to worry themselves about development in the Northern Territory, and I think that was summed up in a classic statement that I sure we will hear again from time to time. I refer to the Leader of the Opposition's statement that 'all of this was simply to get jobs'. Indeed, Mr Speaker, that is what the Trade Development Zone is all about. It is to bring employment to the Northern Territory in order that we might expand the economy, increase the population and, over time, make the Territory a better place to live in. It is all about the simple creation of jobs.

But the Leader of the Opposition and his colleagues have sought, perhaps not unexpectedly, to make political capital out of a situation in which some wrongdoings, which none of us would support, have been identified at the zone. That is not perhaps surprising, given the adversarial nature of politics in Australia today. Nevertheless, members opposite should be honest and acknowledge that that is what they are doing. They should not adopt a holier-than-thou attitude towards us in this House and pretend to be all wounded and hurt because they have uncovered this information. In fact, they are beaming. They have been beaming from ear to ear for a couple of weeks because they have had a run in the media. They reckon they have the wood on the government and they want to beat this issue up for all it is worth. They have been doing a reasonable job in that respect, particularly with the assistance of the ABC. I think we ought to rename the ABC. We should call it the ALP, because it is becoming increasingly difficult to tell the difference between one organisation and the other, particularly when one looks at the political introductions to the 7.30 Report these days.

Not one word did we hear today from the Leader of the Opposition about the role of various parties in the Trade Development Zone, various parties who are involved in bringing overseas workers into Australia. Mr Speaker, if one listened to the Leader of the Opposition only, one would believe that the Trade Development Zone Authority itself was responsible for the problems which have occurred. One would be under the impression that its representatives were in China seeking out the individuals, checking their qualifications, checking to see whether they met the normal criteria for immigration into Australia, and doing all the appropriate stamping of documents, passports and so on. Of course, that was not the case. The fact is that the Northern Territory government's powers outside the borders of the Northern Territory are fairly limited. Indeed, as we would all know, being a territory and not a state, our powers within the Northern Territory are limited, certainly in regard to industrial relations matters.

I refer honourable members opposite to that very question when they debate these points. The role of the Department of Immigration has not been mentioned. I am sure that, if the Department of Foreign Affairs had not taken an interest in this matter prior to a week or so ago, it is taking an interest in it now. That is because what has arisen is a serious matter which will impinge on the relationship between Australia and China. It will have to be handled very carefully and very diplomatically if all the governments and all the parties are to work their way through the problems to find an amicable settlement on the contracts and so forth to the satisfaction of all parties. I can assure you, Mr Speaker, that the federal government does not want to have this matter handled without proper tact. It wants it to be handled in a diplomatic manner.

It was particularly surprising that the Leader of the Opposition did not make a single mention of the role of the Department of Industrial Relations. He did not seem to think that it had a role. It was always my understanding and, as an MLA I have always believed that, if you have a

constituent who has a problem in regard to his or her employment or award conditions, in Australia, or a constituent who believes that his or her employer is not being fair in regard to the payment of holiday pay, air fares or whatever, the one authority that is duly empowered to investigate, decide on and resolve these matters is the Department of Industrial Relations, a Commonwealth department.

Mr Hatton: The trade unions have that power too.

Mr PERRON: As the Minister for Health and Community Services points out, the unions certainly seem to have an authority to serve notice, enter premises and inspect the books in relation to such matters.

However, I certainly would have thought that the Leader of the Opposition would have recognised a role of the federal government departments in this matter, because it is clearly a matter of some complexity. Allegations have been emerging day by day on a range of fronts, and it would seem that those departments would be the best bet to get to the bottom of the matter. If that indeed is the genuine intention of people, then let us get to the bottom of it and ensure that justice is done to all the relevant parties.

From what has been said by the minister and from the statement he made today, it seems to me that his intention is to do exactly that. He has acknowledged that there are problems. He acknowledged that there were practices of which he was unaware. He has advised that he has given assurances that nothing less than Australian award conditions are acceptable to him, and that he will ensure that, once the relevant information is gathered, any necessary back payments etc, will be made. He has acknowledged all of those things, and he has adopted a constructive attitude towards the matter with a view to resolving it. One could ask nothing more of the man than that.

The Leader of the Opposition whinged on about yesterday's meeting of the monitoring committee stemming from the tripartite agreement. He complained that, whilst the ACTU delegate tabled a list of award breaches at that meeting, the Trade Development Zone Authority did not have a list of award breaches. I understand that, at this very time, a detailed investigation of those very matters is under way and that it is being carried out both by accountants and at least the Department of Industrial Relations. This is no shallow investigation of the first half dozen allegations of award breaches but a total inquiry to ensure that we are aware of them all so that they can be rectified. The Leader of the Opposition made a great issue of his view that the Trade Development Zone Authority was deficient because its delegate did not beat the ACTU to tabling a list of award breaches at Monday's meeting. That is another example of him being on the wrong track if he is truly trying to obtain justice for the people involved in this matter.

According to the Leader of the Opposition, the ALP says that it is prepared to 'help get the zone back to work' - I think those were the words he used - provided that the authority's chairman is delivered to him on a plate. 'McHenry must go', he says, 'because he has done a lot of damage'. I know Ray McHenry very well and I have known him for a long time. I must say that Ray McHenry would do more for the Northern Territory in his average day than the Leader of the Opposition would do in a year, and I say that without equivocation. As I said on television a few nights ago, Ray McHenry is an outstanding officer in his service to the Northern Territory, and I do not step away from that statement.

As evidence of his claim that Mr McHenry was grossly deficient in carrying out his duties, the Leader of the Opposition stated that McHenry did not do the necessary checks to identify problems associated with background contracts and so on with the guest workers. This is a perfect example of how the Leader of the Opposition does not want to recognise that federal departments have the authority and, I believe, the responsibility to have these matters checked and resolved. If these problems should have been detected when guest workers first started coming into Australia, they should have been identified by those departments. The federal government has hundreds of staff in Beijing.

Mr Ede: Was the TDZA the sponsor for the employee immigration?

Mr PERRON: The member for Stuart asks whether the TDZA was the sponsor. Is he implying to me that once a sponsor says, 'I will sponsor 16 people and here are their names', that the Department of Immigration just takes the letter, stamps it and provides passports and entry visas into Australia? That is what he is implying and he knows that it ...

Mr Ede: Was the TDZA the sponsor?

Mr PERRON: ... is nonsense.

Mr Ede: Read it. Sit down and I will tell you.

Mr PERRON: You know it is nonsense.

Mr Speaker, can you imagine the Department of Immigration casting aside its responsibilities in relation to people entering this country, as lightly as the member for Stuart would have us believe?

I want to read into Hansard a little extract from the press release issued by the monitoring committee on the tripartite agreement because its contents are very significant in the context of today's debate. What this document does is to take the politicians out of the picture. That is really what we need to do in order to get down to the truth of the matter. We need to clear away the politics and recognise that officers of the various interested parties have met and discussed the matter. Whilst officers of the Trade Development Zone Authority are obviously members of the committee, it is chaired by an officer of the federal Department of Employment, Education and Training. That officer determines what will be on the agenda, how long meetings will last and in what depth matters will be considered. I quote from the press release:

> The chairperson of the committee stated that the major issues discussed today were the alleged breaches of the award provisions and a number of settlement and contractual issues. He added that the Department of Industrial Relations delivered an interim report at the meeting which indicated apparent breaches of the award. The final DIR report will be available by 9 March 1990.

I digress for a moment to point out that that is when we will have, for the first time, an authoritative analysis of the extent of award breaches. That is the document which we all need in our hands in order to take a sensible course of action as the next step. I return to the press release in which the chairperson of the committee, Mr McInerney, details some of the major outcomes of the meeting.

Firstly, a meeting has occurred this afternoon between company representatives, unions and the Department of Industrial Relations to discuss pay deductions and superannuation contributions. Secondly, a briefing by DIR and the TDZA on award conditions for company representatives will occur tomorrow. A meeting between unions, company representatives and workers to discuss the immediate adherence to award provisions and union access is scheduled for this week. Prior to the next meeting of the monitoring committee, the following steps are to be undertaken: acceptable methods of payment of any outstanding moneys identified in the final DIR report; an audit is proposed to be undertaken by the ACTU Occupational Health and Safety Unit in consultation with the Northern Territory Work Health Authority of the occupational health and safety practices in the zone; that an agreement between the parties to the award is developed to ensure that all contracts of employment entered into adhere to Australian awards and work practices; restructuring of the existing settlement and welfare committee run by the zone to address the major social issues which have arisen in recent weeks; a settlement officer from the Department of Immigration, Local Government and Ethnic Affairs will meet with the overseas workers to discuss accommodation issues and liaison with the company concerned; a language audit is to be undertaken by the Adult Migrant Education Centre with English language courses expected to commence in April.

'The initiatives being taken by the TDZA to enhance industrial relations practices in the zone are welcomed by the committee', Mr McInerney said. The monitoring committee will meet again on 21 March 1990 and, until that time, all further immigration under this tripartite negotiation agreement is suspended. The committee recognises the developmental potential of the zone to the Northern Territory and is committed to working with all parties to achieve a positive and satisfactory outcome.

Mr Speaker, the press release ends there. It gives an indication of how to go about solving the problems that are identified and how to get on with the job of building the Trade Development Zone to what it should be and what it will eventually be in the Northern Territory. It takes the politics out of the matter.

Mr EDE (Stuart): Mr Speaker, the Chief Minister would have members on this side of the House keep nice and quiet on this matter. He believes that we should not rock the boat, should not speak out about the Trade Development Zone and that, if we just allow the government to get on with the job, everything will be hunky-dory. Before I go on to a major part of that fallacy as it affects current employment contracts, I would like to go back over some of the history of the Trade Development Zone to show how the government has consistently got it wrong.

Back in November 1985, when the member for Casuarina was responsible for the zone, he stated that there would be 20 companies operating in the zone by November 1986. That was the first projection. He continued with that projection until January 1986. However, it was not until April 1986 that we heard from Mr K.K. Yeung. He said that 15 firms were expected to invest $10m by the end of 1986. By September 1986, the date was being extended to February 1987. Then, Mr McHenry was saying that 12 companies would be starting in February 1987. In debates in this House, the late and unlamented Mr Hanrahan said that 14 firms were expected to move into the zone and that first commitment dates had been obtained from 11 of them. Those were all absolute furphies. Year after year, the government presents

us with furphies. Every time a problem blows up, it says: 'That was a problem but we are beyond it now. You cannot criticise us for that because it happened in the past. We now have everything organised and it will be all right from now on. Just close your eyes and trust us'.

We had the Hungerford problem and the K.K. Yeung consultancy problem. It just goes on and on. Every time we keep quiet for a while, another eruption occurs in the zone. A couple of months ago, Mr Peter Tullgren of the Miscellaneous Workers Union had what the minister called the 'temerity' to blow the whistle on working conditions in the Trade Development Zone. The Minister for Industries and Development responded by calling him a racist. That was absolutely outrageous because we now find that there are real problems with working conditions in the zone.

If we were to turn a blind eye to what this government does, I am quite certain that next week, next month or next year, we would see more instances of what has been happening with the Chinese guest workers during the last few months. The malpractices would not have been brought to public attention or resolved. They have come to light only because people knew that there were people in political life who would take up the issues. The Leader of the Opposition spoke about the bravery of the young lady who left her employment at the zone. One of the bravest aspects of her actions was that she took them in full knowledge of the total and absolutely blind support which this government has been giving to the Trade Development Zone, no matter how many times the sins of various individuals and operators at the zone have been publicly exposed.

Let us have a look at the contracts for overseas workers. The Chief Minister and the Minister for Industries and Development both tried to give the impression that they did not know the basic contents of those contracts. It is common knowledge around the world that the Chinese government and governments of various provinces in China make arrangements for workers to work overseas with remittances being made back to those governments. That is deliberately done as a means of obtaining foreign capital, as is well-known. If the honourable minister did not know about that ...

Mr Coulter: Where is your information on that?

Mr EDE: You did not know about that?

Mr Coulter: Where is your supporting documentation?

Mr EDE: Okay. The Minister for Industries and development did not know. He keeps his ears closed when he goes to China.

Mr Coulter: We are dealing with facts. Where are your facts? Substantiate your claim!

Mr EDE: Mr Speaker, that has been occurring for many years and is one of the main problems in terms of the worker's contracts. We can sit here and say that it will all be fixed up and that people will be paid the correct rates of pay. We can say that they will be paid the correct amounts for overtime but the fact of the matter is that, at the end of the contract period, unless the workers are to be given some form of permanent residency in Australia or unless they decide to uproot themselves from their families and all their home connections in an attempt to live here, they have to return to China.

Is the government really asking us to believe that Hengyang will not tell the government company which supplies the labour how much the workers were paid, and that the government in China will not enforce the penalty provisions of the contracts? When the workers return, they will be called upon to honour their contracts or face the very serious penalties specified in those contracts. The contract does not say that they will remit $100 a week or a $500 a month back to the Chinese government. What it says is that $US120 per month will be theirs as a living allowance and a further $US30 a month will go to their guarantor, often a member of the family in China. The balance of what they receive will go to the Chinese government. Thus, at the end of the day, if we fix up all the award conditions so that they are paid double time for working overtime etc, that will not be of assistance to them because, at some stage, they will be called on to abide by the terms of their Chinese contracts. Neither the Deputy Chief Minister nor the Chief Minister addressed that fact.

My concern is that we have brought into this country a form of what I believe to be an industrial sickness. It is a blight. The situation was one in which Hong Kong interests knew that there were people in Guandong who had the expertise to operate the machinery here. They could not set up the factory in Hong Kong because of the problem with entry into other markets and they could not set it up with Australian labour. The Hong Kong interests and Guandong did a deal to obtain the labour and brought this grubby trade in human misery to Australia. We know that these things happen in China. We know the levels of pay there. We know that these things happen in Hong Kong and the Philippines. However, Australia has been free of such practices for many years. Every worker's conditions of employment are threatened when one worker is paid substandard wages.

When the minister talks about the number of people who work in the Trade Development Zone, he talks about the 1 for 2 and 1 for 3 flow-ons and the employment that is created outside the zone by the fact that we have foreign workers working there.

Mr Coulter: Do you deny that?

Mr EDE: Where are the flow-on benefits from workers who receive $120 a month? There would not be much flow-on from such wage levels.

Let us work out who is responsible for this situation. The problem is that a number of agencies are involved, including several Commonwealth agencies, the Territory agencies and the ACTU. However, a couple of things remain incontrovertible. The Trade Development Zone was a concept of the Northern Territory government. The Northern Territory government put the money into it. The Northern Territory government promoted it. The Northern Territory government has claimed any victories from the Trade Development Zone. It cannot walk away and say that it is a federal problem when something goes wrong.

It is a fact that the Trade Development Zone Authority is the sponsor for guest workers at the zone. I see the honourable minister nodding his head. I have here a document called 'General Guide: Temporary Residence in Australia'. It states that self-sponsorship or sponsorship by an overseas organisation is not permitted. The Trade Development Zone Authority therefore acts as the sponsor. The document says that the sponsor 'will ensure that all relevant legislation and awards are observed in cases of employment'. That gives the responsibility ...

Mr Coulter: You don't know what you are talking about.

Mr Smith: You are saying now that you are not acting as the employer?

Mr Coulter: Oh dear.

Mr Smith: The tripartite committee will be very interested to hear that.

Mr SPEAKER: Order!

Mr EDE: Mr Speaker, when the minister said last week that the buck stopped with him and that he was the person who was responsible, we could at least say that he was demonstrating a form of courage by taking on board the mistakes that he had made and facing up to them. However, the government then hired some fancy consultants from Sydney to try to find a way to weasel out of its responsibility. It began to advertise in the paper in an attempt to put the responsibility on somebody else. I believe that the respect of every Territorian for this government dropped very substantially.

The fact is that the honourable minister opposite is responsible and he has to take the responsibility. If, when he replies, he cannot indicate how he will rectify the problem of those overseas contracts, so that those workers will not be penalised when they return to China, he will continue to bear the responsibility for whatever happens to them when they return to China or during the balance of the period during which they remain in Australia.

Mr HATTON (Health and Community Services): Mr Speaker, I have listened to this debate, as I have listened to many of the harangues against the Trade Development Zone Authority over the years, with a sense of amazement bordering on disbelief. Today, this debate has made me even more perplexed about why people bring these arguments forward in the form that they do. I can understand, in the hurly-burly of politics, the desperation of an opposition to try to undermine any credit that a government is obtaining from initiatives which are creating employment and economic development. I can understand that it would seek to minimise the political benefits the government will gain from that. I can understand that it would adopt monitoring roles and seek to expose what it sees as improprieties in situations. However, one would think that, in any instance in which an opposition is seeking to examine a situation, the first thing it would do would be to get the basics clear. In the last week or so since this debate has been occurring, we have had an avalanche of words, accusations, claims and counter-claims, stories of love affairs and requests for political asylum etc. I can understand why anybody would be totally confused as to what the blazes is going on. In that state of confusion, people tend to assume that something must be wrong.

I am not saying that there are no serious problems in respect of the employment conditions and arrangements in China regarding the processing of guest workers into Australia. Nor am I suggesting that there have been no breaches of awards. I do not know whether there have been or not. What I am saying is that, on occasion, an over-exuberant desire to attack one's immediate political opponent can get one into very hot water. I think the Leader of the Opposition and members opposite have fallen into that trap.

I would like to go through a few of the basics. First, let us understand what the role of the Trade Development Zone Authority is. Its job is to promote the concept of an industrial park. It negotiates to bring capital and industry into a zone, under conditions which are well known to this parliament and with incentives and other arrangements, to promote manufacturing and industrial development in the Territory. It enters into

commercial negotiations with a company to carry on a business within the zone. There are commercial relationships within that arrangement but, principally, the relationship is one of landlord and tenant, with some consultancy and advisory services being made available with respect to marketing etc. Principally, it is a contract between an authority and a business to carry out a business within a particular enterprise zone. That is the structure.

The contract that exists there is for that purpose. An employer who goes into that zone, under the agreement with the Northern Territory government, is exempt from certain government taxes. It is not exempt from the application of Australian law in any of its forms. It is not excluded from the application of the industrial relations legislation of Australia. The businesses in that zone are not outside Australia's jurisdiction, but certain conditions are negotiated between them and the Trade Development Zone Authority acting on behalf of the Northern Territory. It is a contractual relationship. It is not an employer/employee relationship. The zone authority does not employ any of the employees in any of the companies which operate in the zone. The only employees the zone authority has are its own immediate employees who are engaged under its own conditions of employment, and that is all. That is where the employer/employee relationship starts and stops.

With respect to this particular venture, the Trade Development Zone Authority has entered into a contract with a company called Hengyang to establish an industry in the zone. Because of the nature of this zone, Hengyang proposed to transfer people as guest workers under a skills transfer scheme administered by the federal government. On behalf of that company, in pulling together with industry at the beginning, the Trade Development Zone Authority negotiated with the Commonwealth on the justification for a skills transfer scheme and the conditions the Commonwealth would require for the operation of such a skills development scheme. That was approved by the Department of Immigration. I understand that the training and skills transfer arrangements were approved by the Department of Employment, Education and Training.

That enabled Hengyang to establish and operate as it proposed to do within the Northern Territory. Hengyang then went to an employment agency in China. Through that employment agency, it sought to gain the guest workers to be involved in this skills transfer scheme. The workers in China contracted with the employment agency, and the employment agency has contracted with Hengyang. Hengyang is a company which is registered in Australia and, with applications signed by the Australian directors, it sponsors those employees to Australia. They are sponsored by their employer, not by the Trade Development Zone Authority. That was the first mistake made by members opposite. The Department of Immigration approves visas for guest workers who are sponsored by Hengyang on conditions which generally have been negotiated. Obviously, that department has an ongoing responsibility in relation to every person involved with visas, immigration or temporary entry permits. It must decide to approve or not approve the entry of all persons into this country.

I was fascinated to hear the member for Stuart say that it is common knowledge around the world that the Communist government requires Chinese workers working in other countries to pay remittances to the People's Republic of China as a means of earning foreign capital. If it is such common knowledge around the world, why is it that the Commonwealth department, the only agency with specific legislative responsibility to approve or disapprove the entry of people into Australia, was apparently not

aware of this? And if it was aware of it, why did it ignore it? I cannot understand that, but I guess that that is too deep a question for honourable members opposite to contemplate. One would expect, however, that the government agency with specific statutory responsibility for granting people permission to enter Australia would check that conditions agreed to in respect of the approval of the skills transfer scheme were being abided by. Otherwise, it would be negligent in the performance of its statutory duties.

Hengyang, as an employer, has responsibility under a federal award covering the terms and conditions of employment of all of its workers, including the guest workers. The ACTU and relevant trade unions are there to represent the employees' interests. They negotiate the awards. They take up matters and advocate in arbitration, and they are there to enrol membership and to police the award in the interests of the employees. Under the Industrial Relations Act, a trade union has a right to enter an employer's premises and to inspect the employer's books to ensure that the award is being complied with. It has the legal power to enforce that right. Why was the union not doing that if there have been so many breaches of the award? Have the union representatives been negligent in their duties or is that also too deep a question to consider?

The Department of Industrial Relations has what is called an Arbitration Inspectorate. The responsibility of that body is to monitor compliance with awards and conditions of employment under awards. My advice is that nobody has ever even approached the Department of Industrial Relations or the Arbitration Inspectorate at any time before this month with allegations of award breaches or seeking an inspection and an investigation. Where were the trade unions, where were the employees, where were all these people with concerns? Why were they not going to the one government body with the statutory authority to police these matters? Why not? If the training programs were not being carried out adequately - and the federal Department of Employment, Education and Training was responsible for supervising and monitoring them - why were its officers not doing their job properly and identifying that fact?

In this debate, I cannot work out why the Trade Development Zone Authority, which entered into the initial commercial arrangement, is being blamed because the Department of Immigration did not identify some contract in China, because the Department of Employment, Education and Training has not been supervising training and because the trade unions have not been carrying out their responsibilities in looking after the interests of their employees and ensuring compliance with awards. Somehow, this has all become the responsibility, not only of the Trade Development Zone Authority but, in the words of the Leader of the Opposition, of one man, the chairman of that authority. I find that outrageous.

I have to say that the members opposite really have it all back to front. If they believe that the buck stops with the minister under the principles of the Westminster system, and that the minister should resign, they should be calling for the resignation of the federal Ministers for Immigration and Industrial Relations and censuring the ACTU and the relevant trade union for their failure to carry out their duties.

Mr Ede: Who was the sponsor?

Mr HATTON: Mr Speaker, that is fundamental because those are the only people with the statutory authority to do what members opposite want done. Those are the people with the statutory responsibility ...

Mr Ede: Who was the sponsor?

Mr HATTON: ... to do that.

If the member for Stuart had stayed in the House, he would have found that the sponsor is Hengyang, an Australian registered company.

Mr Ede: You are wrong. Check the annual report.

Mr HATTON: My advice is that all of those applications were nominated by the Australian directors for that employer, and I will stand by that advice.

Mr Speaker, I must say that this matter is much ado about nothing. The Minister for Industries and Development has said, quite properly, that to the extent that the zone authority did not exercise sufficient vigilance to ensure that the spirit of the understandings and the basis of the agreements that had been entered into had been carried out, he accepts responsibility. But, responsibility cannot all be lumped on the minister or on the zone authority. In fact, the vast majority of the responsibility must rest with the federal authorities who have been actively involved in this process from the beginning. It must also be sheeted home very strongly to the doors of the trade union movement, which represents employees under the industrial relations system. I think this matter has been beaten up out of all proportion. Unfortunately for the members opposite, they have run down the wrong road. More importantly, it is sad for the Territory because, yet again, in their desperate attempts to play their electioneering and political games, they are launching a concerted attack on the most prospective hope for the consolidation of the economic future of the Northern Territory.

Mr LEO (Nhulunbuy): Mr Speaker, I shall be brief, but I would like to alleviate some of the minister's difficulties in relation to this question of sponsored workers and who actually sponsors them. If I could quote from the TDZA's Annual Report which was tabled on 30 November 1989, it reads in part:

> These agreements stipulated that a percentage of the migrant workers be allowed into Australia on temporary residency permits, and that training programs be instituted for local workers to eventually replace them.
>
> Combined with the realisation that as further textile industry projects would establish towards the end of the year, and there would be additional requests for overseas worker intakes, early talks commenced on a tripartite negotiated agreement. TNAs are a joint agreement between the Commonwealth government through its immigration and training arms, unions, and the company wishing to sponsor overseas workers, ...

Mr Coulter: Right!

Mr LEO: Listen, wait for it, Bazz. ' ... in the zone's case, the authority on behalf of its clients'. You have been sold a pup. The sponsor is the zone on behalf of its clients. That is what it says in the annual report.

Mr Coulter: Read it again, the last 2 lines.

Mr LEO: It says: 'and the company wishing to sponsor overseas workers ...'.

Mr Coulter: No, you have missed the important bit there. Go back a bit further.

Mr LEO: I will read the entire paragraph:

> Combined with the realisation that as further textile industry projects would establish towards the end of the year, and there would be additional requests for overseas worker intakes, early talks commenced on a tripartite negotiated agreement. TNAs are a joint agreement between the Commonwealth government through its immigration and training arms, unions, and the company wishing to sponsor overseas workers, in the zone's case, the authority, on behalf of its clients.

Mr Coulter: Where does Hengyang sit in all that?

Mr LEO: That is exactly why the authority is part of the tripartite agreement. If the authority has no part in the tripartite agreement, why in the hell is it there? It should get to hell out of the tripartite agreement and save itself a lot of embarrassment. It should allow the company to negotiate with the Commonwealth government and the unions involved. The annual report says quite clearly, however, that the authority acts 'on behalf of its clients'. There can be no mistaking the intention of those words. The TDZA is the sponsor for the workers in the zone.

Mr Coulter: That is the basis of your argument, is it? Do you want to sit down?

Mr LEO: That is precisely the point in respect of a whole stream of words which may have been used, abused and misused. This matter concerns 60 human beings - Chinese citizens employed in the Trade Development Zone.

Mr Speaker, this country has a sad history of the use of indentured labour. In Queensland, those labourers were called Kanakas. The abuse of such workers is part of this country's inglorious past. I do not believe that the Northern Territory government should be in any way associated with indentured labour. It is a polite way of saying slave labour. That is what we are talking about. This country has a most ignoble record of using indentured labour. No country in the world could possibly be proud of the behaviour which has occurred in this country in the past and any hint of indentured labour continuing in Australia must be ceased forthwith. We cannot bear the stigma of that in the Northern Territory.

If the Northern Territory wants credibility in Asia, it cannot afford to have a record of exploiting Asians via the mechanism of indentured labour. We would blow ourselves out of the water every time. I can imagine Lee Kwan Yew's reaction. He would be absolutely appalled at this situation which resembles the White Australia policy revisited - ripping off Asians again. We cannot endure that in the Northern Territory. The Leader of the Opposition said, and I totally agree with him, that the Chairman of the Trade Development Zone Authority, at the very least, has behaved in a manner which has not brought credit to the Northern Territory. If the minister will not sack him, I want to know why not. I don't want any gobbledegook about him being such a great bloke.

Mr Coulter: You tell us why he should be sacked. You haven't done anything yet.

Mr LEO: I am afraid that any other government in Australia which had been caused as much embarrassment and as much pain ...

Mr Coulter: What is the charge against him? Where are your facts?

Mr LEO: ... as this man has caused the Northern Territory and this government over the preceding years, he would have had his head on the block by now. I want to know what the Chairman of the Trade Development Zone Authority has on the minister. I reckon it must be a beauty. I reckon he has plenty on the government. Otherwise, it would have axed him by now.

Mr PALMER (Karama): Mr Speaker, I never cease to be amazed at the emotionalism which comes from the other side of the House, especially on issues relating to employment and the conditions of service of certain persons, and particularly from the member for Nhulunbuy. However, the opposition's actions in this matter arise from something other than a concern for the plight of Chinese workers, a concern which is shared by members on this side of the House. Its actions, demonstrably, constitute nothing more than a grubby little political campaign designed to inflict the maximum damage to the Trade Development Zone in order to fulfil the opposition's own prophecies.

If this opposition had any concern for Australian workers or persons working in Australia, perhaps from time to time it would listen to the concerns of Australian workers. We all remember the debate which raged for some time in relation to the fringe benefits tax. We all remember the esteemed gentlemen from another place who is demonstrably and can now be shown quantitatively to be the world's fourth-worst Treasurer. The said Treasurer assured all Australian workers that no worker would be taxed by the fringe benefits tax.

In about October 1989, the Federal Court decided that the living-away-from-home allowance which has been paid to oilfield workers employed on offshore rigs for some years was not a fringe benefit and that, therefore, oil companies were no longer required to pay fringe benefits tax on it. Thus the companies desisted. The Commissioner of Taxation subsequently decided that, since he owed the money obtained through the tax to the oil companies, it should be extracted from the workers. A number of notices have now been issued to oilfield workers asking them to repay certain moneys.

On or about 12 November last, the union involved wrote to the Leader of the Opposition, the honourable Warren Snowdon, MHR for the Northern Territory, Senator Bob Collins, Senator for the Northern Territory, and Hon Peter Morris, Minister for Industrial Relations. The net result was absolutely nothing. The Leader of the Opposition did not want to know about 500 Australian workers. The Senator for the Northern Territory did not want to know about 500 Australian workers. The honourable Mr Snowdon did not want to know about 500 Australian workers. I can tell you what happened last week, Mr Speaker, in view of the forthcoming federal election. The Labor Party rang the said union and said: 'Please don't go on strike until after the election because it will look bad for us'.

If the Labor Party had any concerns for Australian workers or any other workers for that matter, it would take on all cases on their merits, not only those which it believes will do the greatest political damage to the

government and the greatest economic damage to the Northern Territory, and to the people of the Northern Territory whom members opposite purport to represent.

Mr MANZIE (Attorney-General): Mr Speaker, today we have heard a number of serious allegations about non-payment of award wages and about working conditions which purportedly apply to workers employed by a company in the Trade Development Zone. They are very serious allegations and they are being investigated at the moment. It has been brought to the attention of the House that the government would abhor conditions such as those which are alleged to exist. The government has been quite firm in pointing out that it expects nothing but award conditions to apply in the Trade Development Zone.

Unfortunately, we have seen a rather inept performance by the opposition in its effort to score political points by trying to sheet home the blame for the allegations to the Territory government. It has been pointed out in the House today that, in fact, the responsibility for ensuring compliance with the award does not rest with the Territory nor its officers but with other agencies. I presume that, when the Leader of the Opposition can no longer avoid facing that fact, he will continue to take up the issues with the appropriate authorities with the same passion which he has displayed in his pursuit of the Territory government.

The role of the Trade Development Zone Authority has been identified. It does not have the role which members opposite allege it has. It does not have the role of monitoring award conditions and employment conditions. It does not have a role which usurps the role of the trade union movement or which usurps the responsibilities of the Department of Immigration. It does not have a role which takes over from the Department of Industrial Relations. The role of the Trade Development Zone Authority is quite clear: it is to facilitate export industries, to provide incentives to attract such industries to the zone, and to provide administrative assistance with customs exemptions and all other matters in respect of the benefits of operation in the Trade Development Zone. It is not an organisation which takes over the role of industrial relations and it does not monitor the role of unions.

In terms of award conditions for workers, industries and factories in the Trade Development Zone must be regarded in exactly the same way as industries which exist in Winnellie, Coconut Grove, Berrimah and anywhere else in the Territory. Award salaries are the same inside the zone or outside the zone. Award conditions of employment are the same inside the zone and outside the zone. That has been made pretty clear and, through the Trade Development Zone Authority, the government has insisted on that in all its dealings with firms which have made inquiries about the opportunities which are available to operators in the zone. It has been made very clear that Australian award conditions will apply.

In relation to factories in Winnellie or Coconut Grove, the Northern Territory government has no role in ensuring that industrial awards are not breached. We cannot take over the role of the Department of Industrial Relations. The terms of self-government specifically forbid us to do so. That has been brought to the attention of members in this House. It must have been known by the Leader of the Opposition, who has participated in debates about self-government and the responsibility of Territorians in taking control of their own destiny. However, the federal government saw fit to deny this parliament a role in respect of industrial relations. That

is fine. We can do nothing about it at this stage except to point it out to the community and to make our feelings known.

In view of that fact, how dare the Leader of the Opposition try to sheet home the responsibility for industrial relations to the Minister for Industries and Development? The Leader of the Opposition knows full well that the Northern Territory government does not exercise industrial relations powers, but he seemingly gets away with his tactic. Well, Mr Speaker, the crunch has come. We will hear later how he is going to justify his attitude in that regard.

The Department of Industrial Relations is headed by Minister Morris. If that department has been lax in carrying out its responsibilities, I am sure that the Leader of the Opposition will realise that he has made a mistake and turn to the federal minister with the same wrath and righteousness which he has displayed inside and outside this House, and attack him with the same gusto as he has attacked the Minister for Industries and Development. I am sure he will do that. If he does not, we will know that he is not interested in award conditions, working conditions or salaries but is only interested in trying to score some political points. We will wait and see.

The Northern Territory government has no responsibility in respect of immigration. It is a Commonwealth matter. How dare the Leader of the Opposition try to blame the Territory government for matters relating to immigration? What a cheek! He is supported by his colleagues. Surely they are not so immature that they believe that the Territory is responsible for matters relating to immigration. Maybe they are that immature, Mr Speaker. Again, I wonder whether the same sense of righteousness and the same illogical attacks will be redirected from my ministerial colleague to the federal minister, Senator Ray. I doubt it, but we will wait and see.

Members on this side of the House have made it very clear that, if the Territory government knew that workers faced non-award working conditions and below-award wages and was involved in covering up such matters, that would be a disgrace. Under those conditions, the government would have to resign. However, the fact is that it was made plain to the companies coming to the zone that Australian award conditions would apply. It was made clear. It was a policy of the government and a policy of the Trade Development Zone Authority to inform companies that Australian award conditions would apply.

The idea of the zone is not to supply jobs for guest workers from overseas. The whole concept of the zone is to provide jobs for Territorians and for other Australians who wish to come here to enjoy the opportunities and quality of life which they can obtain in the Territory. The zone has nothing to gain from payment of below-award salaries or from non-award conditions for workers, because the whole idea is to provide employment for Australians. To say that the management of the zone is to blame for not being aware of contracts between guest employees and a Chinese employment agency is absolutely ridiculous.

The government is now aware of the contracts and the minister has made it very clear that they are irrelevant. They do not apply in Australia. They have nothing to do with the situation here. However, now that we know about them, questions have to be asked about the federal Minister for Immigration and the role of his department in the matter. Why were visas issued by the Department of Immigration without proper and adequate checks? The Territory government does not issue visas. It is not our responsibility. There is a department established to do that. Why were

proper and adequate checks not carried out before the visas were issued? I am sure that the Leader of the Opposition will turn and attack the federal minister for a lack of application by his department. I am sure that he will do that now that he realises that he was misdirecting his wrath. We will wait and see.

Mr Speaker, I do not know where to start with some of the comments from the member for Stuart because the entire basis of his argument was totally and utterly incorrect. He was out to gain some ...

Mr Ede: Who is is the sponsor?

Mr MANZIE: What has the sponsor to do with award conditions? There is a requirement for award conditions to apply, and that is that. It is like the contracts. They are irrelevant except in relation to the responsibilities of the Department of Immigration and its issuing of visas.

The member for Stuart gave us a history of the ALP's denigration of the efforts of numerous government ministers to develop the Trade Development Zone since 1985. In that 5-year period, that zone has developed far more quickly than any similar zone anywhere in the world. What has been achieved is amazing, but it has not been achieved by people sitting back and twiddling their thumbs. It has been achieved because ministers have applied themselves 150%, 24 hours a day on behalf of all Territorians and in the face of continued opposition from the very first day. The criticism has continued. It has been misdirected and it has been incorrect. It has always got a headline and it has created a suspicion in people's minds that something is not quite right out there.

They keep on running the old furphy - the old yellow peril. It is hint hint, wink wink, nudge nudge. It is typical of the Australian union movement and we should be all aware of the part the unions played in trying to totally destroy the Asian settlement of the north of Australia. It is a disgraceful part of our history and I am sure that members of this House are fully aware of the background. However, it is still alive and the member for Nhulunbuy trotted out a few comments which brought that home. The member for Stuart did likewise. He demonstrated an almost pathological urge to destroy the zone. He said that Tullgren raised these issues in November. He did not raise these issues in November. He raised some industrial issues in November. Let's get it clear: they were matters relating to chairs, face-masks and similar things. He made no allegations relating to award salaries and conditions not being provided for the workers. If he had, it would have been investigated as it has has been investigated now.

The member for Stuart then turned around and said calmly and clearly that it is common knowledge - and this is a beauty, Mr Speaker - throughout the world that Chinese workers are restricted by the Chinese government and contracted to remit money. He said that it has been known for years. Obviously, what he was saying is that he actually knew that there was a contract in existence which required Chinese workers to work under these conditions and remit money back home - practices which are totally un-Australian. He said that he knew about it and that everyone knew about it. What did he do? Did he go to the Department of Industrial Relations. Of course he did not. Did he go to the federal minister? Did he go to the Department of Immigration? He stood in this house and said: 'I knew about it. Everyone knew about it'. He stands indicted. If he had that sort of knowledge and did not pass it on to anyone, he should resign. It is disgraceful. He should either withdraw that statement and admit to the

House that he told a lie or explain why he kept that knowledge to himself without reporting it to the appropriate authorities.

He said that it was 'common knowledge'. What was the role of the Department of Immigration if it was common knowledge? What was the role of the Department of Industrial Relations? Mr Speaker, it is disgraceful. If what he says is true, Senator Ray is obviously right in the gun. If what he says is true, federal Minister Morris is right in the gun. If what he says is true, the ACTU has a lot of questions to answer. However, I think that we all realise that what he said was a lie because, if it was not, they are in trouble. We will hear a bit more about that later.

Mr EDE: A point of order, Mr Speaker! I ask the minister to withdraw that or else move a substantive motion.

Mr SPEAKER: Would the member please repeat what he said?

Mr MANZIE: Mr Speaker, I said that, obviously, what he said is a lie.

Mr SPEAKER: I ask the Attorney-General to withdraw the remark.

Mr MANZIE: I withdraw the remark. Obviously, what he said is not the truth because, if it were, 2 federal ministers and the ACTU would be in trouble. If it is not the truth, I think that the House deserves an explanation as to why ...

Mr Ede: This is pretty pathetic.

Mr MANZIE: He was another one who ran out the anti-Asian feeling, Mr Speaker. I think it was pretty poor. He said that the Northern Territory government must take the blame. We put up the money for the zone, we promoted the zone and we claimed credit for the benefits the zone has provided to the Territory. Of course we put up the money for the zone and promoted it. And we do claim credit for the benefits of the zone, the jobs it is creating for small business and the building industry, and also for the export earnings for this country.

We also made sure that the companies knew that Australian award conditions would apply. As soon as the allegations were made, an investigation was carried out. However, the whole process of monitoring is a delegated responsibility of the federal Department of Industrial Relations, the federal Department of Immigration and the ACTU. It is no different from monitoring the award payments and conditions at factories in Coconut Grove, Winnellie or Berrimah.

Mr Smith interjecting.

Mr MANZIE: Oh, the Leader of the Opposition is back, Mr Speaker! Isn't it marvellous? He has been worded up by some of his helpers because he has had a bit of a bad day. Now that he realises that he has aimed the gun in the wrong direction, I want to know when he is going to turn it around and point it at the federal minister. I would like to hear about that and I am sure that the community and the media would like to hear about it too.

The next time the Leader of the Opposition comes out with something, I ask the media not to jump straight onto the airwaves and regurgitate what he says. It should pause and do a little research. It should ensure that he is not going to lead it and the rest of the Territory down the garden path again. It is important that allegations, such as these allegations about

non-award payments and conditions, are investigated and that matters are rectified when that needs to occur, because it is against the policy of this government and it should be against the policies of all Australians for us to have second-class citizens. It is also important, however, to know where the responsibility for the monitoring of these matters lies. It has been clearly demonstrated by speaker after speaker today that the federal Department of Industrial Relations and the federal Department of Immigration have many questions to answer. Again, if the Leader of the Opposition is fair dinkum, I would like to see him turn the wrath he has shown ...

Mr SPEAKER: Order! The honourable minister's time has expired.

Mr COULTER (Industries and Development): Mr Speaker, as I said in my opening statement, this was to be the Leader of the Opposition's big day. We were told that these were to be censure motions, that the minister had to resign and that Ray McHenry had to resign. The trade union worked really hard on this project but the Leader of the Opposition has flopped it. The yawn he gave just then typifies exactly his contribution to this debate.

Mr McCarthy: A very tired opposition.

Mr COULTER: We have a very tired opposition here. He said, by way of interjection, that he was seeking an early court hearing. He said that it would be a good election issue. I am not sure whether he was talking about the number of civil matters that he has to face or whether he was talking about the police investigations. At the moment, he is not prepared to indicate which it was; perhaps he was talking about both. Let me caution him against seeking an early court hearing. I would suggest that he not suggest to anybody that either the police inquiry or the court process be accelerated. He denies that he was at this particular meeting, but I ask him to consider where he went during early February, who he spoke to and about what, at what time and on which date, and what his role was in this affair prior to the departure of Miss Huang from Darwin to Melbourne. Let him inform the Federal Police about that as they conduct their inquiries. It would be interesting to unveil just what role he did play.

And let us not let the federal member, Mr Warren Snowdon, off the hook in relation to this matter. Let us hear his pious denials that certain meetings took place in his office. Let us hear him explain his role in this whole, grubby little affair. Let us wait until the police inquiries are completed in that regard before we get into it.

The only big gun that has been fired at us here today is a misinterpretation of a paragraph on page 14 of the Trade Development Zone's Annual Report. In setting up the arrangements, the zone negotiated the TNAs on behalf of companies in the zone and represents those companies on the monitoring committee of the TNA - and that is what it says in the report. However, under immigration procedures, the individual workers are sponsored by the company concerned. In Hengyang's case, the immigration sponsorship forms are clearly signed by the company director or secretary. Let us get rid of that piece of nonsense for a start.

I have seen the grey file that is on the Leader of the Opposition's desk over there. It is an inch or so thick and full of data that is supposed to prove his case here today, and what have we heard? What a pathetic case it has been. As I said, members of the opposition will be drummed out of the union movement because of their pathetic handling of this case today. A censure motion? When are we going to have a censure motion, Mr Speaker? We had those questions at question time and I am amazed. Members opposite have

been running around in back alleys and setting the place alight with rumour and innuendo, all of it totally baseless. This morning, they came into this Chamber and it was to be their big day. What did they do? What a mob of wimps!

They have done nothing. They have done no credit to those union people and to everybody who worked behind the scenes to get this conspiracy going in the first place. They are drop-outs of the highest order and it would not surprise me if the only head on a plate will be that of the Leader of the Opposition after this performance today.

Mr Speaker, I will not go through each and every individual contribution to this debate from members on the other side, because there was no contribution. It is as simple as that. The member for Nhulunbuy stood up, after being handed the grey folder. I saw the grey folder passed around a bit there today, as questions ...

A member interjecting.

Mr COULTER: That is right. We saw what happened when we brought this debate on after the revelations.

Mr Bell: It is a fairly heavy little number too, Barry. I would be a bit worried if I were you.

Mr COULTER: All of them, including the member for MacDonnell, left the Leader of the Opposition sitting here friendless. That was the amount of support they were prepared to offer him in this particular instance.

I look forward to further debate on this issue, if we are going to get it, and the greater and more substantial detail that is to arrive, when and if it does. However, I would like to thank the Chief Minister for his contribution to this debate and also the Minister for Health and Community Services for his considerable industrial relations knowledge. He stands in complete contrast to the Deputy Leader of the Opposition who, all of a sudden, is a great industrial advocate, and knows it all. Another point was that F.I.R.S.T. IR Pty Ltd was mentioned in a particular document. It appeared in the newspaper a few days ago and the story filled 3 or 4 columns. What sort of secret documents have they got hold of now? We ought to supply them with 50¢ to buy the newspaper.

Members opposite can make these allegations in this House if they wish, but there is no substance to their arguments. This debate really has proved just one thing: they are at their best when they are out on the streets, spreading rumour and innuendo and causing strife and trouble. When they are in here, in the people's House, under standing orders, they have nothing to contribute to this or any other debate. It has been a farce, but it would not be so bad if it did not place in jeopardy $49m worth of investment in the Trade Development Zone.

The member for Stuart wants to know when and where it will happen. Let him go out to the zone and have a look. Let him look at the concrete being poured and, if he does not think that there is a multiplier effect, let him have a look at the accounts that have been run up as a result of all this rumour and innuendo and by this farce that has continued over the last 2 weeks. The multiplier effect represented by accounting and lawyers' bills alone demonstrates that, and we will have to see who is to pay for it. Some of it will be paid for by the Leader of the Opposition as a result of civil

suits that have been taken out against him, because of the way it has been handled by the media. But, let us give him the benefit of the doubt ...

Mr Bailey: Only married couples from now on, Barry.

Mr COULTER: In respect of the member of Wanguri's contribution to this debate, I would like to pay tribute to him for having the courage at least to sit down and not say anything because it is an indication of his knowledge on the subject. I think he is to be congratulated and I thank him for the opposition's only real contribution to this debate.

Members opposite have not been able to come up with anything. There were accusations about Darwin International Textiles. As I said in the past, it is a model company. Several people tried to say that it was not and I believe that, in the paper tomorrow, it will be seen that they have changed their minds. They have had a rethink, and many other people will be having a rethink about the things that they have said in the last few days.

Mr Smith: They certainly will.

Mr COULTER: Let us hear it! Have you got more to come? Bring on your censure motion. If you have more to add, if you have really have something more to contribute, bring it on. Don't sit over there with nothing to say, nothing to contribute, and expect that you are doing well out there with the community in relation to this issue.

Mr Speaker, if the Leader of the Opposition wishes to move a motion of censure against me for any activity whatsoever, let him bring it on. Today, he was not prepared to do that. For 2 weeks, members of the opposition have been running around street fighting, telling untruths and spreading rumour and innuendo. That is a domain that they operate in very well. Here, in the people's House, they are wimps and they have proven that today. What most people in the community have known about them for some time has been reinforced today. As my colleague said, they are a tired opposition. If that is the best that the opposition can come up with after 2 weeks of hype in an attempt to put the government on the ropes, they have failed and they have failed miserably.

The Leader of the Opposition said that the videotapes of today's sitting would go down in history as a turning point, and it has been a turning point because we are back to the old, tired opposition. The old knock, knock, knock and nothing to contribute. They have slipped backwards at 100 mph into the gutter where they came from.

Motion agreed to.

Mr SMITH (Opposition Leader): Mr Speaker, I am not sure whether it was during question time or during the debate which has just concluded but, at one time, the honourable minister quoted extensively from a document that he said was from Hengyang's lawyer. I ask that he table that document.

Mr Coulter: Did you table yours?

Mr SMITH: I sure did.

Mr Coulter: Good. You showed me yours and I will show you mine.

TABLED PAPER
Report of the Auditor-General Upon
Public Sector Corporations

Mr SPEAKER: Honourable members, I lay on the Table the Report of the Auditor-General Upon Public Sector Corporations for the year ending 30 June 1989.

Mr COULTER (Leader of Government Business): Mr Speaker, I move that the report be printed.

Motion agreed to.

SPECIAL ADJOURNMENT

Mr COULTER (Leader of Government Business): Mr Speaker, I move that the Assembly at its rising adjourn until Thursday 22 February 1990 at 10 am.

Motion agreed to.

BRANDS AMENDMENT BILL
(Serial 246)

Continued from 30 November 1989.

Mr EDE (Stuart): Mr Speaker, there is nothing particularly remarkable about this bill. It increases penalties, which is probably necessary from time to time because of the effluxion of time and the effects of inflation. The opposition supports the bill and does not intend take up too much time of the House in discussing it. Some interesting points could be raised. I had intended to talk about a former brands clerk and some of his activities in relation to the withdrawal of brands, what happened to those brands and so forth. However, time is getting on and I will not do that.

Instead, I will confine myself to asking the minister to explain in his reply why he decided to make it impossible for children under the age of 18 to hold brands. I recall that, in my distant youth, it was quite a common practice on pastoral properties for the sons of the families - not so much daughters, because we were far more sexist in those days - to have a brand at the age of 14 or 15. It was normal practice for such lads to have a couple of poddies and I know some who had 20 or 30 head by the time they were 18. It was all part of the family and growing up on properties in those days. I did not see anything wrong with it. Perhaps there was a very good reason for stopping people under the age of 18 from holding brands. It may have something to do with the responsibilities required in the prosecution of such people if they break the law. I would like the honourable minister to give more detail about that. In conclusion, as I said, the opposition supports the amendment and commends it to the House.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, my remarks in relation to this bill will be brief and are in a similar vein to those of the member for Stuart. There is a matter connected with the Brands Act which I have not raised in this House before, although I have mentioned it briefly to officers of the Department of Primary Industry and Fisheries. It relates to the subject of brands in respect of pedigreed stock and the matter of tattooing pedigreed stock. I do not believe that the matter has been covered by the Brands Act and I do not believe that it has been addressed.

I know the procedure for branding horses and cattle, but I am speaking now of smaller animals such as sheep and goats.

As honourable members know, I have a few goats and I am aware that, if one keeps registered stock with fully pedigreed stock, one is obliged to have animals branded with tattoos. This form of branding by tattoo relates to the state from which the animal originated. In the Northern Territory, the people who keep pedigreed goat stock are connected with the South Australian section of the Dairy Goat Society. A special form of tattooing is used, and it really has no connection with the legislation in respect of branding as it applies in the Northern Territory. I do not believe that any serious disputes have arisen because of these anomalies, but I believe that the minister or some of his officers could examine the matter to ensure that the procedures run parallel.

The goat industry is in its infancy at present, especially in terms of fully pedigreed stock, with interest focusing mainly on crossbred animals for the meat market. However, there are people in the Northern Territory who keep fully pedigreed stock. Whilst it is not of great importance at present, I believe that the goat industry will become quite an important industry with the passage of time. Now is the time to look at this sort of thing, rather than many years down the track when there could be some confusion between the brands supplied in the Northern Territory, given that tattooing is the form of animal identification used in the goat industry.

Those remarks aside, Mr Speaker, I support the legislation. In concluding, I again urge the honourable minister to look at the form of identification of small stock, particularly goats, and how their tattooing relates to the Brands Act in the Northern Territory.

Mr REED (Primary Industries and Fisheries): Mr Speaker, I thank honourable members for their support and their comments. I will comment briefly on the matters which have been raised. In relation to the age limit of 18 years, I am not aware of any requests for people under the age of 18 to hold brands. I suppose that would have some effect on the choice of 18 as the minimum age. It is also the age at which full legal responsibility applies and is enshrined in other legislation. There is a need for the ability to apply charges in the event of a misdemeanour and, for those reasons, the age of 18 was included in the amendments. I hope that explanation will satisfy the member for Stuart and, indeed, the member for Koolpinyah.

In respect of the tattooing of animals and other methods of branding, the amendments before the House contain a change in the definition of 'brand' which includes any other prescribed form of identification. I gave an example in my second-reading speech of implants under the skin which are electronically sensitive and can be read electronically. The changed definition would allow for other technological advances which might occur in relation to the branding of animals in the future and, certainly, I would think that the situation described by the member for Koolpinyah could be encompassed by it. My advice is that that is the case and that, from time to time as industry requires, we can consider any applications which come before us in that regard.

Mrs Padgham-Purich: I have a brand but that only applies to cattle and horses.

Mr REED: Yes, but the definition of 'brand' includes advanced methods of identification such as skin implants and I am advised that other methods

of marking cattle would also be incorporated or included under those definitions.

Mrs Padgham-Purich: I have only got tattoos.

Mr REED: Tattoos are a form of branding. They can be incorporated under these amendments provided, of course, that the appropriate mechanisms are put in place. Certainly, the amendments will enable that to occur. With those comments, I conclude my contribution and once again thank honourable members for their comments.

Motion agreed to; bill read a second time.

Mr REED (Primary Industry and Fisheries)(by leave): Mr Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

STOCK DISEASES AMENDMENT BILL
(Serial 248)
ABATTOIRS AND SLAUGHTERING AMENDMENT BILL
(Serial 249)
BRANDS AMENDMENT BILL
(Serial 250)
EXOTIC DISEASES (ANIMALS) COMPENSATION AMENDMENT BILL
(Serial 251)
PET MEAT AMENDMENT BILL
(Serial 252)
STOCK (ARTIFICIAL BREEDING) AMENDMENT BILL
(Serial 253)
STOCK ROUTES AND TRAVELLING STOCK AMENDMENT BILL
(Serial 254)

Continued from 30 November 1989.

Mr EDE (Stuart): Mr Speaker, when I saw the number of cognate bills here, I was tempted to make my speech shorter than the Clerk's.

The amendments are obviously sensible. When most of the people who are required to be appointed under one act are also required to be appointed under another act, it seems to be a waste of space in the Gazette to continue to list the appointments separately under each act. These amendments allow the matter to be simplified. The problem always occurs when an appointment cannot be gazetted because the minister says that the appointee will not have the full range of powers. The presumption will be that people may end up with powers which they do not need, and should not have. I accept the minister's word that 99% of the people appointed are stock inspectors and veterinary surgeons from the Department of Primary Industry and Fisheries.

The only thing that does seem a bit strange is that, according to the minister's second-reading speech, they will have 7 different identity cards which are issued individually. I presume that the honourable minister will have worked that out by now and will be arranging for a single identity card which will identify the functions of these appointees under each of the different acts.

Mr Speaker, the opposition accepts the bills, which clarify the situation and make appropriate arrangements.

Motion agreed to; bills read a second time.

Mr REED (Primary Industry and Fisheries)(by leave): Mr Speaker, I move that the bills be now read a third time.

Motion agreed to; bills read a third time.

ADJOURNMENT

Mr COULTER (Leader of Government Business): Mr Speaker, I move that the Assembly do now adjourn.

Mr EDE (Stuart): Mr Speaker, the alcohol problems of the Alice Springs area have been widely debated in this Assembly on many occasions and I do not wish to become involved with the wider questions on this occasion, although I must say that I am keenly awaiting the results of the work of the Sessional Committee on the Use and Abuse of Alcohol by the Community, a committee established as a result of a Labor initiative. In mentioning that committee, I must pay particular tribute to the member for MacDonnell, who has been attempting for many years to have such a committee established. It is a credit to his continued perseverance that it has finally got off the ground. I will certainly be looking forward to hearing about its deliberations and to receiving its report.

Tonight, I wish to discuss the development of an Alcoholics Anonymous program by Aboriginal people for Aboriginal people in Alice Springs. The idea has been adopted from American Indian programs which I understand have been extremely successful in both their implementation and their results. The Aboriginal Alcoholics Anonymous Group has been working on a trial basis in Alice Springs for a reasonable time. Its establishment is largely due to the efforts of 2 people I have known for many years, Mr Doug Abbott and Mr Doug Walker. In fact, I knew them both before they were reformed alcoholics in any way. They are old friends of mine who have both now been dry for quite some time and are working to set up this program. I had discussions with Doug Walker about a fortnight ago and I was certainly impressed with the commitment of the people working on the program. They are working on a purely voluntary basis and are tackling a very difficult and complex issue.

Some years ago I was involved with the Central Australian Aboriginal Congress, which had a rehabilitation farm in central Australia. I must admit that the area of alcohol rehabilitation is not one in which I would claim to have been particularly successful in my period with the congress. The farm, as we called it, had a very chequered record. It seemed to be successful but I suppose that, after people left the program, the success rate might have been about 1%. That was because the people who left went straight back to the conditions which had caused them to be on the grog in the first place. Everybody would rubbish them and encourage them to have a few drinks. They would find that there was such a staggering proportion of people on the grog that it was very hard to find friends who were not. Before long, they would be down the creek on the grog again and the same old cycle would be perpetuated.

The beauty of this program is that it looks beyond the period of detoxification and rehabilitation. It actually looks towards providing continued support for individuals after they have left that area. It provides them with an alternative to the alcohol scene where they can gain strength. With this program, 2 people have received training in Queensland. I understand that there is a joint Tangentyere Council and

Australian Aboriginal Congress Working Group established which will ensure that the program is established on a correct footing and that there is appropriate backup in the form of submissions to government departments. I believe that the Minister for Health and Community Services will be receiving a submission on his desk any day now. I will be writing to him at that time to express my support for the initiative. Tonight, I wish merely to state my support and to make members aware of the efforts of Aboriginal people towards solving this chronic problem. I urge all members to keep an eye on developments of this nature in their own areas and to encourage Aboriginal people to look for solutions. Basically, it is Aboriginal people who will solve this problem. Our job as facilitators is to assist them to organise resources to be able to do so.

The organisers intend to utilise the facility provided at the congress farm as a base for the program and then to expand among people by means of community consultation and awareness programs. I have great regard for the work done by Dougie Abbott, Dougie Walker and others on the committee. I know that the Department of Aboriginal Affairs is looking closely at where it can assist in establishing the program and I am hopeful that the honourable minister here will be of like mind. I think we should be able to obtain agreement. Cooperation and a coordinated response is the way to go. This is a critical problem and fresh ideas and approaches should be encouraged. I certainly would like to discuss this matter at greater length with the minister when he has received the submission.

While I am on the subject, I would like to address a matter raised by the Tangentyere Liquor Committee on Friday 16 February in a press release. This dealt with the problems caused in Alice Springs by the clamp-downs in communities. As the Tangentyere committee sees it, there is a direct correlation between the clamp-downs on alcohol movements out bush and increased problems in town. That is possibly accurate. I know that, when the clamp-down was in effect at Yuendumu, there was a large surge in the number of Yuendumu people living in town camps. I do not know whether my colleague knows of a similar occurrence in respect of Hermannsburg, which is also one of the targeted communities. However, we cannot necessarily postulate a causal effect in respect of the correlation. There have been many problems at Yuendumu over the last year which could have had an effect on the number of people moving to town. Thankfully, when I was out there the other week, I noted that things have improved very substantially. There is a whole new attitude at Yuendumu. People are all talking about putting everything behind them and working together.

To come back to the point, Tangentyere has asked magistrates to consider requiring offenders to peform community service orders in their own bush communities. Many Aboriginal people, who currently serve their community orders in Aboriginal organisations, could be sent back to their communities to serve the appropriate community orders there. There is considerable merit in this suggestion. The psychological impact on community members and bringing of the reality of punishment home to the community is a substantial part of what the legal system is about. As I have said before in this House, we often say that the main aspect of going to prison is shame. That is a spectacular deterrent among people who live in a culture where shame is attached to prison and going to prison is not the norm. Where the situation is such that going to prison is the norm, the degree of shame attaching to prison falls away. Community service orders have the capacity of identifying for people in the community the fact that somebody is repaying the community for the wrong that he has done to it. The people in the community will know that the wrong is being redressed and is not something which simply did not happen.

I do not know whether legislation is necessary to enable this to occur. I doubt that that is the case. However, if it is necessary, I ask the Minister for Correctional Services to have a look at the possibility of persons undertaking community service orders, not at the place where the offence was committed or where the court case was held, but back in their home communities where they may be caused to suffer some shame, which might have more effect. This may have an effect on the recidivist rate which is extremely high among Aboriginal people at the moment.

Mr BELL (MacDonnell): Mr Speaker, I want to make a few comments in respect of the Commonwealth State Housing Agreement and to provide a few facts for the Minister for Lands and Housing whose comments in question time today were so short on facts as to be totally misleading. I think it is most unfortunate, incidentally, that question time is the only part of proceedings that is broadcast. It is a shame that comments such as those that I am about to make are not given at least the same air play as those of the minister so that Territorians can appreciate the extent of the desperation of the Country Liberal Party in relation to this coming federal election and, more particularly, this minister's total lack of understanding, as indicated in question time today, of the operation of the Commonwealth States Housing Agreement.

The honourable minister blustered today, but failed to provide facts. During question time, I challenged him to point out what the per capita funding for the Northern Territory was and is proposed to be under the old Commonwealth States Housing Agreement and the new Commonwealth States Housing Agreement. Before I give you those figures, Mr Speaker, let me just say that the federal Labor government has a proud record of providing funds in the Northern Territory and throughout this country, a record which makes that of its conservative predecessors pale into insignificance. Let me give those per capita figures. The plain fact is that, under the new Commonwealth States Housing Agreement - the agreement which the minister is complaining about so bitterly - it is proposed that the per capita funding for the Northern Territory will be $219, which compares with a national average of $61.

Let us look at the CSHA which has been operating for 6 or 7 years now. Under that arrangement - and these are other figures that the minister would not provide us with this morning - the per capita provision for the Territory by comparison with a national average of $61 per head was $490 per head. I think that the extent to which the Minister for Lands and Housing is desperately attempting to assist the CLP's candidates in this federal election by raising this sort of furphy should not be at the expense of facts. I am not presenting a diatribe. For the sake of the honourable minister, I am presenting a few solid facts which he chose not to present in question time this morning.

Let us try another one. I understand that the CLP's candidate in this coming federal election tried to say that the funding cuts for the Northern Territory under the new CSHA would be $100m.

Mr Manzie: Over the next 4 years. You really should get across your subject. You are disgraceful.

Mr BELL: Mr Speaker, I am quite happy to pick up the minister's interjection. If he would care to listen to me, he would know that I said that the CLP's candidate had said that it would mean $100m less in funds under the new CSHA. The honourable minister interjects and says that that is over 4 years. He is absolutely right and I would have thought that the

fact that it is over 4 years would tend to mitigate the reduction somewhat. I really fail to see that as either an argument in this government's favour or as an argument against the federal Labor government.

How is this figure of $100m arrived at? The fact is that the minister arrives at this figure on the basis of the nominated funds. Let us look at the amount of these nominated funds over the period during which this arrangement has applied. The total amount that was available to the Northern Territory government in the 7 years since the Commonwealth State Housing Agreement has had the arrangement for nominated loan funds was $442m. This government could have had $442m.

How much do you think this government took, Mr Speaker, of those nominated loan funds which were available to it? I will tell you. It took $184m, or 41% of what was available. Let me simply repeat those figures so that they sink in. This government took more than $200m less than was available to it. Actually it took $260m less than was available to it over that 7-year period, and now government members are screaming like stuck pigs over this new arrangement. Mr Speaker, their arguments are entirely without credibility.

There are various other aspects of this matter which I would be more than happy to debate with the honourable minister, and I offer this challenge to him. He might like to make a statement about the Commonwealth State Housing Agreement, and he might like to allow me the opportunity to assess his figures in the terms which I have just outlined. I am quite happy to do so on an appropriate, measured basis. I do not need to hide behind question time. I have the facts at my fingertips and the facts point in the direction of the Commonwealth having increased housing funds around this country by 50% during the life of the Hawke Labor government, and I believe that that is a record of which it can be proud. The sort of unsubstantiated criticisms which are being put into the mouth of the CLP candidate for the House of Representatives in this federal election campaign do no good for the housing industry in the Northern Territory. They do not help to house Territorians. In fact, they further convince the people of Australia that the Northern Territory is in the hands of incompetents.

I want to raise another issue on an entirely different theme. It relates to the Tourist Commission's budget for production and advertising. I have received representations ...

Mr Vale: From Erwin Chlanda.

Mr BELL: Yes, and I pick up the interjection from the Minister for Tourism. I have received representations from Mr Chlanda, who has been entirely unable to get straight answers from the Minister for Tourism about how he spends his budget. I hope that, in this adjournment debate today, the honourable minister will provide some decent answers which he was not prepared to provide to Mr Chlanda. Fortunately, people like Mr Chlanda and other Territorians are realising the virtues of a vigorous opposition. I want a few answers from the Minister for Tourism and I intend to get them.

Mr Speaker, the Tourist Commission budget for promotions was $7.9m in 1988-89. This was about one third of the commission's total budget. Of that amount, $2.7m was spent overseas and the remaining $5.2m was split up into promotions other than advertising. There was $2.2m for such purposes as trade shows, $2.2m for television advertising, and $800 000 for print advertising. Of the television budget, 10% usually goes to the advertising

agency, in this particular case the well-known international firm Saatchi & Saatchi, and the remainder is spent equally on production and purchasing air time. That formula suggests that the agency received $200 000, but $1m went to purchase air time and a further $1m was spent on production.

I have had the opportunity to view one of the 3 commercials that went to air, and it is clear that $1m could not have been spent on the production of these particular 3 commercials. Let me point out that the advertisement that I saw consisted of 6 images taken from a painting by Mr Terry Yumbulul, a Top End artist. The 6 images depicted variously, a kangaroo hopping along the road, a river with fish, Aboriginal rock paintings and a snake, a very abstract rendition of Katherine Gorge, a star-covered sky and a hotel with aircraft and vehicles arriving at its doors. There was also a collage of all 6 images, the Tourist Commission's brolga logo and some text.

A production house in Adelaide was consulted with respect to the production costs of this advertisement. It uses an animation process which is done with an electronic paint box, in which certain elements of the drawings can be cut out electronically and moved about. The process was described by this particular production house as fairly simple, and the estimate for the production of a commercial was a fee not exceeding $20 000. Thus, the cost for 3 such commercials would be $60 000. One would need to add to this figure the fees for the voice-over and music which would amount to no more than a few thousand dollars. If the figure of $1m given by the honourable minister and by the commission was accurate, it would exceed this estimate by a factor of 10.

In view of the interest which this government appears to show when it talks about import substitution, I would like to know why these particular films could not be tendered out in the Territory. That is one question I would like answered by the Minister for Tourism. I would also like him to justify, on an itemised basis, the expenditure for the Tourist Commission in that regard. How much money is spent on production and how much money is spent on air time? My questions are asked on the basis of the facts available at present and in view of the minister's extraordinary refusal to give any honest answers to an interested member of the public. I hope that some answers can be given, and given soon.

Mr MANZIE (Attorney-General): Mr Speaker, I rise to make some very short comments regarding the member for MacDonnell's reference to the Commonwealth State Housing Agreement. I think that he speaks with some conviction, and therefore I believe that he believes that the information that has been provided to him is true. However, I can assure the honourable member that the total amount of funding for the Northern Territory is being decreased under the proposed CSHA by amounts which graduate over $100m during the next 4 years. In the fourth year, we will be receiving $45m less in total than we received in 1988-89. That is a fact. There have been changes in the wording, nominated funds and loans and grants have all been changed around, but the total amount of money we will receive under the proposed new CSHA will be $100m less over the next 4 years, and that starts from this level ...

Mr Bell: It parallels the nominated funds that you have taken in the past.

Mr MANZIE: Look, I am afraid that you have been conned.

Mr Bell: In this particular case, no.

Mr MANZIE: The description of the money has changed. The whole thing has changed. Taking everything into account, that is how much less we will receive. That is a fact. South Australia is in the same boat and Tasmania is in the same boat. They have the same arguments as I have. The member for MacDonnell has been conned by somebody. We have not even had the courtesy of a letter from federal minister regarding this. It has been impossible to attempt to negotiate. The CSHA has changed. Every time we go and talk about it, it has new wording.

This matter was debated in this Assembly during the last sittings. Unfortunately, the honourable member left the Chamber during the debate. Probably he should read the debate and the comments that were made. It was debated in full because of the particular problem we were experiencing. It is real. The fact is that we are being short-changed to this extent.

I would ask the honourable member either to distrust the source from which he is receiving his information or to make application to me and I will have my department or the Treasury brief him on the actual facts regarding the money. Before he jumps off and accuses us of trying to gain political points for the federal election campaign, I would ask him to remember that I started talking about this over 12 months ago. It was not only the money aspect that I was concerned about, but also other restrictions that the Commonwealth was seeking to place on us with regard to interstate transfer of priority listing for Housing Commission tenants, and restrictions on and means testing of Housing Commission tenants.

I pointed out what a danger that would be in the Territory because of our history in respect of housing. Those are matters that still have not been resolved, and the matter is one that I find really deplorable. The approach by the federal minister is that the funds will be advanced for a couple of months but that, if we do not sign the agreement, we will not receive any more. As I said earlier, it is like saying: 'If you do not let us cut your leg off, we will cut your head off anyway'.

The treatment we have received from the Commonwealth deserves more than the mealy-mouthed repetition of some non-factual information which we have had from the member for MacDonnell tonight. Really it behoves every member of this House to forget about politics in this matter, to look at what the federal government is doing to us and to say that that is not fair, because it is not fair. I believe that all Territorians should be treated as all other Australians are treated. That means that we should be provided with funding which enables us to provide the same level of service to Territorians as all other Australians receive, and that is the whole basis of the Grants Commission's existence. In the past, our housing funding was determined on that basis. In other words, we were to receive sufficient money to enable us to provide a level of service to Territorians which equals the level of service provided to other Australians. The CSHA proposal changes that system. It is not fair and it is not proper and the member for MacDonnell has a responsibility to find out the details and to stand up for Territorians rather than trying to score political points.

Mr COLLINS (Sadadeen): Mr Speaker, I would like to support the remarks of the member for Stuart in relation to Aboriginal people coming into the towns. I am thinking of Alice Springs, as he no doubt was. Those people commit crimes which could be punishable by community service orders under which judges would be empowered to send them back to their communities where they would do the work required in the community service orders in front of their own people. This idea was floated by Mr Bill Ferguson of Tangentyere Council. Bill is well known in Alice Springs for his work with that council

to combat alcohol abuse in our town, and he has gained a great deal of respect from those people who have come to know him. Bill suggested that such an approach would be far more effective than jail. Many young Aboriginal men now have a bravado attitude to jail which implies that you have not really achieved manhood until you have spent some time in custody. Bill Ferguson argues that offenders would find it a real shame job of they had to serve their sentences and perform community service orders in front of their own people. I believe that such an approach is well worth looking into and I hope that the Attorney-General will do so in order to see whether something can be done along those lines. If effective, it would reduce the crime rate in the towns, make those young men sit up and take notice and perhaps take hold of their lives.

I actually bumped into Bill Ferguson on Friday afternoon in Alice Springs. I had heard on the radio that day his suggestion that community service orders out bush would be a more effective means of punishing young Aboriginal offenders. We fell into conversation and we spoke about the terrific number of Aboriginal people who are picked up for being under the influence and taken into protective custody. As you know, Mr Speaker, drunkenness has been decriminalised in the Territory. However, in our discussions, Bill and I agreed that the same sort of thing ought to be available for people who are habitually drunk and frequently need to be taken into protective custody. Some would perhaps see it as a retrograde step but I think that sentencing people to serve community service orders in their own communities would at least allay some of the costs.

In recent days, I have spoken to the police in Alice Springs. The number of people being picked up and taken into protective custody at the Alcohol Rehabilitation Centre or the shelter, with the excess going to the police cells, is the order of 50 to 80 every night. That is a very large number and a huge expense is involved. When the same people are picked up night after night, it seems so pointless. Again, this parliament ought to look at the possibility of sending habitual drunks back to their communities to do some community service work.

Many communities are dry or declared dry. Bill Ferguson himself said that he agreed with me in relation to the many stories of communities being declared dry only to find that the people who fought for the declaration are the ones who run grog and make a big profit out of it. That is another concern. However, I do not believe, and he does not believe, that the Aboriginal people who normally live in Alice Springs are helped in any way, shape or form by people from out bush bringing their alcohol problems to town and invading Alice Springs. I think that Bill Ferguson's suggestion is worthy of merit and I would like the government to look into it and to act on it. I think that his advice is certainly worth following up.

Mr Speaker, I have in my hand a plastic bag. It is rather an ordinary looking plastic bag except that it is slightly green in colour. I believe that this type of plastic bag has the potential to make a big impact on the horticultural industry in Australia and the world and, in fact, on everybody's refrigerator at home. It is a Japanese invention. I understand that the porous volcanic rock known as pumice has been impregnated into the plastic. It does not rub off and the bag is quite strong. The effect of the bag material is to absorb the ethylene gas given off naturally by fruit stored in the bag, a gas which helps the fruit to ripen. Other gases are absorbed as well. The bag creates an atmosphere in which fruit and vegetables can last for much longer.

I first came across the bag in January on my brother-in-law's property at Barmera. I was in his cold room and he said: 'Have a look at this rockmelon'. He passed me a rockmelon in a green bag like this one, and I pulled it out. I have seen plenty of rockmelons. I have never grown them although my neighbours at Ti Tree have. It looked like a rockmelon that had been picked the day before and put in the bag. It was nice and cold. I said: 'Okay, it is a rockmelon'. He said: 'That has been in the cold room for 6 weeks and for 4 days the cold room was turned off'. It looked like new.

The Top End is noted for sending a fair number of rockmelons overseas, particularly to Singapore, and I understand that they are flown there. Whilst this technology has to be costed and checked, I believe it will allow the rockmelons to be packed here, put into containers and transported on barges to arrive in Singapore in excellent condition.

My neighbour at Ti Tree, Arthur Dahlenburg, has decided to take the plunge and go into asparagus growing in a big way. He will want to harvest his asparagus during May and perhaps in early June, if the weather is not too cold, so that he can obtain the highest possible prices which he needs to do because he is so far from the market. With these bags, I believe that he can start his harvest a month or 6 weeks earlier. He can store the asparagus in the bags and have it ready for the market to capitalise on the higher prices. He would not have to employ as much labour because what is a 4-week harvest at present could become a 10-week harvest.

Mr Harris: How much do the bags cost?

Mr COLLINS: I am not too sure, Tom. When I was talking to my brother-in-law about them, a fellow from an export company in the Riverland indicated that a bag suitable to fit inside a 20 kg box of rockmelon sold for about 25¢. The comment was made on the spur of the moment and did not take into account all the possibilities.

I believe that this sort of thing will also be very popular with the housewife ...

Mrs Padgham-Purich: And the house husband.

Mr COLLINS: Yes, the house husband too. I am a house husband when I am at Ti Tree, I can tell you. My wife certainly does not buy my groceries. You can buy up big if something is on special and the price is right. You can buy a month's supply at a time, put it in the bag, put the bag in the fridge and have nice fresh produce whilst taking advantage of a better price. I think that it will even out much of the horticultural industry soon. I certainly will be passing this sample on to the Horticultural Advisory Council and to the minister. I think it is just one of those very natty little inventions which has great potential to make the cost of living in the Territory a little cheaper.

I have sold grapes to local stores at $3 per kilogram, only to see them being sold for $12.99 per kilogram. When that happens, one tends to believe that one is not getting a very good deal. That is over a 400% mark-up on one's produce. Of course, the retailer does not sell very much because not too many people are keen to buy grapes at $12.99 per kilogram. Turnover is low as a result and the grapes become stale and horrible. The retailer's reaction may be: 'Oh, but we have so many losses'. These bags might remove some of the excuses used by our supermarkets. Produce can be properly stored so that they can charge a lower price and have a greater turnover.

That might in turn lead to a better deal for fruit and vegetable growers in the Territory.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, an important day is coming up in March for all those people who live in the rural area and for people from outside the rural area who would like to see what rural dwellers do and what we are like. On Saturday 10 March, the offices of the Litchfield Shire Council will be opened at Fred's Pass, not far from the existing shire offices. This opening will not follow the usual routine of openings of important buildings or offices. It will feature the community on display. The shire council has determined that it will be an open day, a hall of fame day for all of those people who live in the rural area. I have been told that His Honour the Administrator will be going out to the rural area for the day. He will be one of our few VIP guests. Of course, the Administrator is not really a guest because he and his wife have been local landowners in the Litchfield Shire for many years.

The people in the Litchfield Shire have demonstrated a certain amount of independence and individuality over the years. In fact, the declaration of the shire was not made indoors in a building but outdoors under a tree. I have been conferring with a friend and we cannot remember what species of tree it is. It is not an ironwood. It could be a woolly butt, a stringy-bark or a bloodwood. I will have to check. I know where the tree is and what it looks like but I cannot remember what species it is. It is a native tree, and the declaration of the Litchfield Shire was made in its shade.

Mr Speaker, 57 clubs, groups and societies have been approached, and all have been enthusiastic to enter into the spirit of the open day and to show something of their activities. Individual rural residents have been notified of the day through our local newspaper, the Litchfield Times, and encouraged to display their achievements in the form of any certificates, rosettes or ribbons which they have won since the formation of the shire. Many people in the rural area have accomplished achievements which are known Territory-wide. One of those relates to the winner of the last Darwin Cup. Brinney won the Darwin Cup. His owner lives in the rural area, as does his trainer, his strapper and his jockey. I do not know whether the horse will be in attendance, Mr Speaker, but the Darwin Cup will be on display.

To show that we would like everybody to come along, a special invitation has been issued to the member of Karama this morning. He intimated that he will attend and join in the festivities. There is strong community feeling in the Litchfield Shire. I think I could say that it is possibly beyond dispute that, if it does not have the strongest community feeling in the Northern Territory, it would be up there among the strongest. Nowhere else in the Northern Territory has community independence been evidenced as strongly as it has been in the Litchfield Shire in the rural area.

It is quite interesting that we will be celebrating the opening of our new shire offices and what has occurred since the shire was formed. However, as everybody knows, we did not want local government in the rural area but we got it anyway. However, we got it our way after a prolonged fight. We won our struggle for a flat rating system. We are the only local government area in the Northern Territory which has a flat rating system and probably one of a very small number in Australia.

Mr Perron: The only one that is sensible.

Mrs PADGHAM-PURICH: I know we are, and I thank the Chief Minister for that interjection.

The locals in our Litchfield Shire and the rural area are known for the strong community support they give to all the recreation reserves which are used by the community there. Various people have commented from time to time that all of our reserves are a picture. They are a credit to the trustees and the people who have worked to establish and maintain them at a high standard. All of our reserves are used very much by community groups, especially by sporting groups.

The rural area has many firsts, tops and highests to its credit. It has the highest production of horticultural produce in the Northern Territory. It has the only rural farm school in the Northern Territory. It has the only wildlife park in the Northern Territory and it has the largest private zoo in the Northern Territory. Without fear of contradiction, I can say that it has the greatest number of small business ventures in the Northern Territory. It would also be the one place bar none where there are so many small owner-operated businesses.

Mr Hatton: The member for Ludmilla might dispute that.

Mrs PADGHAM-PURICH: I would take issue with him any day on that.

Mr Speaker, the rural area has 2 hostelries that are well known, not only throughout the Northern Territory but Australia-wide. One is the Noonamah Hotel which is the frog-eating capital of Australia. The other one is the Humpty Doo Hotel which has a competition every year where the best beer drinkers demonstrate their prowess. Until a few years ago, it had the only stubbie-drinking Brahman in the Northern Territory - Norman the Brahman. However, Norman the Brahman has since gone to that happy paddock in the sky where Brahmans go.

The rural area has 2 of the 4 crocodile farms in the Territory, including the first to be established. It also has a very prominent World War 2 historical area near Black Jungle in the Koolpinyah Station area. It also has many parks and recreation areas which are kept in tip-top condition by the Conservation Commission. These are used not only by locals, but also by people from other parts of the Northern Territory, especially from the urban areas. From time to time, we have heard talk about the rural area being the dormitory area for all those people who work in Darwin. However, I think the shoe is on the other foot most of the time. At weekends, all the people from the urban areas come to the rural area for a drive merely to see what all the people in the rural area are doing. The rural people have more to do than to drive into town to see what the townies are doing. It is not nearly as interesting.

The rural area has the only private fish farming venture in the Northern Territory. We have the largest poultry farm in the Northern Territory and we have the largest pig farm in the Northern Territory. Shortly, we will have a defence establishment in the form of the Waler barracks. I am not certain of the numbers as compared to the number of defence personnel at Larrakeyah or the RAAF Base. However, it will be one of the biggest defence establishments in the Northern Territory. We have the only 2 prison farms in the Territory. The defence forces are represented by RAAF, Army and Navy installations in the rural area. We have 1 of only 2 dairies in the Northern Territory. Of course, the biggest dairy in the southern hemisphere is Rowlands Dairy at Katherine which is certainly a great achievement and a

showplace. The one that we have in the rural area is a family dairy and, in its own way, it is a showplace also.

Mr Speaker, in concluding my remarks about things of which the rural area can be proud, I believe I am correct in saying that the rural area has the highest rate of home ownership in the Northern Territory. In the Litchfield Shire, it stands at about 84% which is the highest rate in the Northern Territory and one of the highest in Australia.

I believe honourable members will receive invitations to attend the opening of the shire office on Saturday 10 March from 5 pm to 7 pm. I think they will find it an interesting day even if they do not check the achievements of the people in the rural area, but simply meet the interesting people who live there.

In conclusion, I would like to raise a completely different matter. I do not do so in any way to detract from the seriousness of the occasion but simply to draw to the attention of the people responsible for determining the seating in the cathedral tomorrow that not all of us are males. I have had considerable trouble finding a wife to go with me tomorrow. I say this because the seating plan indicates places for MLAs and wives only. As I do not have a wife, I will be taking one of my daughters. She is the nearest I can find to a wife.

Mr FINCH (Transport and Works): Mr Deputy Speaker, I would like to speak very briefly about a matter of growing concern throughout the nation. I refer to the industrial chaos that is now prevailing in at least the eastern states. We hope that we will be able to prevent its full impact from affecting the Territory. I refer to the protests of a renegade group of truck drivers in Victoria, New South Wales and now South Australia and perhaps Queensland.

This dispute runs contrary to the position held by most of the road transport organisations and even the federal Transport Workers Union. I understand that those participating in blockades on the Victoria and New South Wales border are, in the main, owner-drivers. Of course, some of them have been driven to absolute desperation by the depressed economy and their very frustration with what they see to be unreasonable working environments on the east coast. In addition, there are some disputes between different branches of the TWU and, in some instances within individual branches, to the extent that this dispute appears now to be getting out of control.

At this stage, I guess it is appropriate to look at the history of how this dispute has arisen. It has developed over a long period from a variety of transport issues ranging from the very obvious lack of road funding and the lack of fuel tax revenue being spent road through to the recent instances of bad accidents involving trucks in New South Wales. Public attention has now turned to the road transport industry and the truckies in particular are being blamed for the evils on the nation's roads. Of course, some of that blame does squarely lie with the transport industry, but by no means exclusively.

Some further provocation came with the blackmail attempts of the Prime Minister in his 10-point road safety package which was suddenly sprung on all of the travelling public of Australia and the various state and territory ministers shortly before Christmas. He said that he had identified a need to spend $110m over 3 years on addressing some of these 'black spots', as he called them, that were causing difficulties to the travelling public and to the road transport industry. The strings attached

to that deal involved the states and territories contributing $40m, and agreeing to a ridiculous 10-point safety package that obviously came from suburban Melbourne. The great majority of that package was rejected by all states and territories except Victoria.

Tucked away in the middle of it were some features which really did affect the road transport industry, and its members felt particularly aggrieved that their previous protests had been ignored. You might recall, Mr Deputy Speaker, some of the protests that were mounted approximately 6 months ago in the Melbourne to Sydney area because of problems on the roads. Those problems related not only to road safety, but also to road standards, the uniform licensing conditions, the uniform laws applying to logbooks and several other matters. The other aspect of their complaints related to commercial interests, and that is where the core of the problem lies.

Competition has grown within the road transport industry, motivating drivers to enter into purchasing overly-expensive rigs. Some have been sold rigs that do not suit the purpose for which they have been bought. These purchases have been financed to the hilt by unreasonable finance companies and, in some cases, up to 100% funding finance has been taken. I am led to believe that, in some instances, drivers have borrowed even more than that to get their rigs up and running during their first 2 or 3 months of operation. This has put them into situations which are impossible to handle.

In addition, people in the transport industry, particularly on the east coast - and this occurs only seldom in the Territory - are subjected to quite unreasonable demands by their clients. It is a matter of take it or leave it. If they do not reduce delivery time, they do not get the job. These factors are pushing some people to the end of their tether. To date, the Territory has been fairly well shielded from such activities. Last year, when the national stoppage occurred, the Northern Territory Road Transport Association and the Northern Territory Transport Workers Union agreed that the approach by the Northern Territory government to conditions applying in the Northern Territory did not warrant their participating in those disputes. In fact, they have been very supportive, so much so that they are selling the Northern Territory government's approach to the road transport industry to their colleagues interstate. Today, I have already had some 6 interstate calls asking if we can help to talk some sense into the federal government and other state governments in respect of taking a practical, realistic approach to road safety issues, particularly in relation to the road transport industry.

Apparently, the frustration is growing to the extent that there is already a rumour in the Northern Territory that, despite the fact that members of the local industry are not in the least bit disadvantaged, they see that 90% of the package proposed by the Road Transport Federation, a newly-formed organisation, to address across-the-board transport industry problems, has already been acknowledged and put in place by the Northern Territory government. On the one hand, these people are saying that they are supportive of what is happening here but, on the other hand, they are now being called on by their colleagues interstate to participate in this renegade strike.

There is no way in the world that one can condone this current action. It is totally without rationality. It will not achieve results and, worst of all, there will be no easy solutions because it is such a fragmented group of people who are protesting outside their industry organisations and outside their union recommendations. It is now affecting not only freight

travelling between states, but also shipping. Because of these stoppages, ships are leaving Sydney and Melbourne only partially loaded with export cargoes. In addition, people are being laid off from their jobs as a result of the dispute.

I am waiting to see what will happen in the morning because there is now a rumour that a few renegade drivers will proceed with a protest in Darwin. These reports were unsubstantiated by the Road Transport Association and by the union as late as we could contact them this afternoon. Certainly, tomorrow, I will be calling on members of the trucking industry in the Northern Territory to stay calm and to try to influence their interstate colleagues to return to work. If there is anything we can do to assist them, we will do it. I believe that that is a constructive approach.

To come back to the fundamental underlying problem, there is a frustration with the ineffectiveness of the federal government in matters that pertain to it. The issues relate to single licensing, a matter that was taken up by the Territory government some years ago now. There is the absolute farce of the logbook situation. It is impossible to police the logbooks. The logbook that cannot be circumvented has yet to be invented.

Mrs Padgham-Purich: 'Fiddled' is the word.

Mr FINCH: As the member for Koolpinyah said, 'fiddled' is a better word. She probably knows all the truckies who live in the rural area. There has never been a logbook that could not be fiddled by a disreputable truckie.

The drivers are totally against tachographs being fitted, and this government supports the rejection of the mandatory fitting of tachographs. They are a tool that may provide a small amount of aid to the businesses but, from a monitoring and safety point of view, they are an absolute waste of money. We disagree with the RTF in relation to limitation. In practice, we go along with the proposal to fit speed limiters to heavy vehicles, but we have yet to debate the actual speed limit.

Mrs Padgham-Purich: Isn't that a tachograph?

Mr FINCH: For the benefit of honourable members, a speed limiter is a device fitted to the transmission of the vehicle that will prevent it physically going beyond a certain speed. The speed that is being discussed at the moment by the RTF is 110 km/h or 115 km/h, which is probably in the order of what we would see as reasonable. That, in itself, would result in an upper speed limit which trucks could abide by on our open roads. However, for us to agree blindly to an arbitrary 100 km/h limit on the Stuart Highway, as I have said previously in the debate on this 10-point package, would be nonsensical.

We are 100% behind the truckies' call for more expenditure on roads. The Territory suffered a $4m cut in its highway program last year as well as missing out on a share of approximately $4m of the 10% increase gained by the rest of Australia. That is quite contrary to the advice given by the federal member for the Northern Territory, Warren Snowdon, who misled the public of the Northern Territory last year in what I believe was a deliberate move which he has not seen fit to correct.

These matters are of great concern to Australia now. By the time we get to the wire in the federal election, road funding will be the number 1 issue. I was pleased to hear today that the CLP candidate for the Northern

Territory, Helen Galton, has obtained some commitments from the shadow transport minister, John Sharp. When Mr Sharp visited the Territory 2 or 3 weeks ago, he went to the trouble of obtaining full briefings on our situation and, when he announces his package during the next week or so, Territorians will be delighted at what Helen Galton has been able to extract from the system.

As you would be well aware, Mr Deputy Speaker, members of this government have been barking about the Victoria Highway in this House for at least the last 5 years. The member for Katherine would know only too well of the dangers of that road which has an extraordinarily high potential for problems with its mixture of heavy road transport and tourist traffic. I suppose that we have been lucky to date. It is only the responsible approach of the Territory transport industry which has prevented serious accidents on that and other Territory roads. I commend the Territory transport industry for its vigilance and self-discipline. I believe that such a vigilant and disciplined approach will, in future, lead to the curtailment of some of the problems now being experienced on the east coast.

At least, here in the Territory, we now have another voice barking for road funding. The voice of Helen Galton is most welcome and I trust that she will have some success in achieving action from a new coalition government. I have the greatest confidence that therein lies the greatest hope of success.

Mr Deputy Speaker, we will have to wait and see whether or not the growing cancers afflicting the interstate road transport industry begin to afflict the Northern Territory. I trust that common sense will prevail, not only in the Territory but throughout Australia. For goodness sake, the last thing we need in this country's current situation is a further diminution in exports and a further loss of jobs.

Mr FLOREANI (Flynn): Mr Deputy Speaker, I rise tonight to speak on my pet subject, which I think I have raised in almost every sittings since I have been in this place. I refer, of course, to the question of flood mitigation in Alice Springs which I know is very close to your heart as well.

About 20 of my constituents live along the banks of the Todd River in South Terrace and Barrett Drive. Those people shudder whenever there is any suggestion that the river is to flow. It was most welcome news when the government stated its commitment to a flood mitigation dam in Alice Springs. However, we have not heard of any progress for quite some time. All sorts of rumours about this dam are doing the rounds in Alice Springs. There has been a public meeting and people want to know what is happening. I think it is time that the government, or at least the minister, made some statement on the matter in order to allay people's fears that perhaps we will not be getting a dam. People are talking about the traditional owners holding back progress. They are talking about the government not being able to do deals with station owners. There is also talk about the design. Indeed, people are not sure what site the government will use. I implore the government or the minister to make a statement of some kind on this matter.

In addition, an article appeared in the Centralian Advocate on 10 January. Its subject may have escaped most people's notice. It was written by Jim Thomas, President of the Alice Springs Small Business Association. I believe that Mr Thomas is an engineer. He speaks both of mitigation and the possibility of a recreation lake in Alice Springs. Given

his professional background, Mr Thomas' comments seem to be worthy of at least some investigation.

I will briefly cover what Mr Thomas says. In terms of the flood mitigation dam, he states that, some time ago, the Alice Springs branch of the Australian Institute of Engineers examined the idea of building a recreation dam. Its judgment was that a flood mitigation dam would have a short life because of the amount of silt which comes down the river with each flood. Mr Thomas argues that a number of smaller dams would be cheaper to build and easier to maintain, as well as providing semi-permanent water for stock in the area and causing less interference to property where the dam may be built. That is his point of view and, although I am not a technical person, I would certainly consider it worthy of further investigation.

Mr Thomas went on to refer to a long-term plan for the next 10 years. His comments interested me because the Minister for Industries and Development mentioned at a previous sittings that he would like to hear any ideas as to how the permanent water in Heavitree Gap at the entrance of our town might be removed. In his article, Mr Thomas suggested that, when the government fulfils its commitment to shift the sewage lakes to the Brewer Estate, it may be possible for the Ilpapa Swamp, which has a clay base and holds permanent water, to be used as a recreation lake. Again, whilst I am not a technical person, I believe that suggestion is worthy of investigation. Mr Thomas believes that the swamp could be dredged and that the watertable in the Todd River subsequently could be pumped into the proposed recreation lake. These matters require the attention of an engineer. They have been raised in the article by Mr Thomas and I believe that they warrant further investigation.

Motion agreed to; the Assembly adjourned.

Mr Speaker Dondas took the Chair at 10 am.

PERSONAL EXPLANATION

Mr COULTER (Industries and Development)(by leave): Mr Speaker, during question time on Tuesday and during the debate on my statement relating to the Trade Development Zone, I referred to a meeting in the office of Warren Snowdon and to the departure from Darwin 2 days later of a Chinese national as having occurred on 2 February and 4 February respectively. As is common knowledge, the events referred to actually occurred 1 week prior to those dates and I should have referred to 26 and 28 January respectively. This was a simple clerical error which I regret but which in no way alters the substance of my comments yesterday. I stand by all of my other comments in this regard.

PERSONAL EXPLANATION

Mr SMITH (Opposition Leader)(by leave): Mr Speaker, the refreshing and enlarging by the Minister for Industries and Development is the refreshing and enlarging of a lie.

Mr COULTER: A point of order, Mr Speaker! The Leader of the Opposition is making a personal explanation. A personal explanation cannot be debated.

Mr SMITH: I am not debating it.

Mr SPEAKER: There is no point of order.

Mr SMITH: Mr Speaker, the refreshing and enlarging of the argument by the minister is in fact the refreshing and enlarging of a lie. For the record, I did not attend a meeting on 26 January in Warren Snowdon's office. I have never met Miss Huang Hanying. I have never spoken to her. I do not even know what she looks like.

STATEMENT

Mr SPEAKER: I advise honourable members that I have given approval for Channel 7 to film library footage in the Chamber during this morning's question time.

STATEMENT
Trade Development Zone

Mr COULTER (Industries and Development)(by leave): Mr Speaker, we have heard threats from across the Chamber that we will be censured, that we will be thrown out of here, that this is an important debate, but members opposite have not moved any substantive motion to present their case. They are running scared on this issue. They have no facts at all, only innuendo. That is all they can offer. What I will talk about this morning is the actions that have been taking place at the Trade Development Zone - in the real world, not the political world in which we operate.

The Trade Development Zone debate has to be the Legislative Assembly's version of Blue Hills. It grinds on relentlessly. Mostly, it is a political debate just for the sake of political debate. Today, the Leader of the Opposition sought again to lock horns with me on the Trade Development Zone with a welter of words, claims and counterclaims. Meanwhile, in the real world outside, the real job of getting the TDZ moving towards fulfilment of its undoubted potential goes on. At this time, the

TDZ has a particular job to do in fixing the industrial relations problems which have surfaced in the past 3 weeks. That job is critically important, not only to the zone but to all Territorians, because the TDZ represents one of the strongest lifelines to a secure economic future for the Territory.

As I said on Tuesday - and I remind all honourable members that we did debate the TDZ fully just 2 days ago - we have to attend to the problems that have emerged, and we have to get it right. In this debate today, I want to leave behind the boring, repetitive and negative claims and counterclaims and address for the benefit of all honourable members what is being done right now to address the difficulties the zone is facing. In summary, the problems are being addressed with great urgency. Much is happening on a daily basis. For a start, the Director of Industrial Relations in the Public Service Commissioner's Office, Mr Adrian Kelly, has been seconded to the zone and has begun working there this week. Already, his advice and experience has been valuable. He is playing a central role in rectifying any award breaches at the Hengyang factory and in working with the union movement to ensure that the process is being done with the full agreement of the unions.

For example, a new system of deductions from the pay of Chinese guest workers at Hengyang has been agreed upon and will apply for the next 6 weeks. This time period will allow investigations by the Department of Industrial Relations and Coopers & Lybrand to be completed and the results fully assessed.

Members opposite are not even interested in sitting in the Chamber to hear this, Mr Speaker. They have to walk out. The Leader of the Opposition, who is leading the opposition charge on this issue, cannot even stay around to listen.

Mr Speaker, the new system will treble the weekly cash-in-hand payments for Chinese guest workers from today, taking them from $39 to $107.54. Weekly rental is reduced from $4C per week to $25 per week. Deductions for meals provided will now be restricted to workday lunches only, reducing meal deductions from $84 per week to $23.75 per week. Transport deductions have been reduced from $24 per week to $11 per week. No deductions will be made for electricity, medical expenses and housekeeping and the guest workers will be responsible for meeting such costs individually. All deductions will be fully explained on weekly pay slips and this will occur from today. Remittance to families in China will remain the same - at $43 per week and, at all times, the wishes of the guest workers in this respect will be observed. These levels of deductions have been agreed to by all parties concerned. Clearly, the guest workers are better off in terms of net pay under this system. Of course, they will continue to be consulted about the deduction system during the course of the next 6 weeks. It may be that the system will then change again, but I stress that this will be done with the agreement of all parties.

The reaction from the guest workers to the new system is favourable. However, an issue that remains to be fully resolved concerns remittances back to China. It has been agreed that each of the Hengyang guest workers is free to choose alternative accommodation in Darwin, and the Department of Immigration, Local Government and Ethnic Affairs will make resources available to assist. Part of that role will be to explain about bonds, sharing costs for power and water, and all the usual accommodation and rental issues.

It has also been decided to restructure the existing Welfare Committee, a body set up with the cooperation of the Chung Wah Society and the Darwin Chinese community to assist with the integration of Chinese workers in Darwin. The committee was initiated by the TDZ and set up under the umbrella of the Commonwealth Department of Immigration, Local Government and Ethnic Affairs. The zone authority has offered its full assistance in such restructuring. I anticipate it will take a much more active role in facilitating the very necessary help offered to Chinese guest workers to settle in to the Darwin community.

In consultation with the Chinese workers and as a further step to assist their assimilation into the Darwin community, steps will be taken to set up quickly English language courses. Discussions will take place shortly with the Adult Migration Education Centre. A central issue to be addressed will be when such classes can be held and where. I refer to the question of whether they will be held during working hours and whether they will be held on the factory premises or outside. This matter will be settled in consultation with the guest workers themselves.

A full audit of occupational health and safety matters will be undertaken by the Work Health Authority working cooperatively with other parties. Advice will be provided to the guest workers about banking services available in Darwin and Medicare and private health insurance systems.

Mr Speaker, all the positive moves I have been talking about relate to Chinese guest workers at the Hengyang factory. However, yesterday, talks along similar lines were held too with guest workers at the Darwin International Textiles factory. Obviously, the circumstances of the 2 factories are different, but I am keen to see that improvements to working and living conditions generated from the Hengyang experience flow to other guest workers at the zone, if this is necessary.

Mr Speaker, not only are matters associated with the Chinese guest workers being undertaken but the question of Australian workers being trained to take over skilled jobs continues to be addressed. The tripartite monitoring committee has been reviewing current training strategies and a program is to be presented to the next committee meeting on 21 March. All matters raised by the monitoring committee as areas of concern and areas in need of clarification are being examined as a matter of urgency.

Progress towards my stated objective of the establishment, as soon as possible, of an industrial relations consultative body at the zone is continuing. Talks have begun with the union movement about the likely framework. I have already said that I welcome formal union representation on this body. In addition, discussions have started on a model award agreement, known as a section 115 agreement, to apply to all workers at the zone. This would take into account local conditions to suit the requirements of the local employers and employees and the unique circumstances of the Trade Development Zone. A model award agreement, specifically for the zone factories, would obviously be of great assistance in explaining to new zone participants their responsibility under Australian award conditions.

Coopers & Lybrand has provided the zone with an interim report on the examination of Hengyang's books and method of wage payment and deduction. It underlines one of the government's chief concerns in relation to the whole issue, which is that the method used by Hengyang to record overtime payments is inadequate and needs close attention. At this early stage,

Coopers & Lybrand is unable to determine the amount of overtime payment owed retrospectively to the Chinese guest workers and we must await the final report. Directors of Hengyang arrived in Darwin this morning from Hong Kong to continue the process of restoring Hengyang's zone operation to a level which can meet universal approval. Critical meetings in this regard will start almost immediately.

Honourable members can see clearly that improvements are under way and that the investigation which I launched 2 weeks ago is quickly obtaining positive results. Not all the answers are before us yet. A matter of deep concern is the existence of contracts with the Chinese guest workers which contain provisions unacceptable in Australia. On Tuesday, members of the opposition spoke a great deal about this and much of what they said was incomprehensible. They suggested several times that the existence of the contracts was solely the responsibility of the Northern Territory government. They even suggested that the government had to do something instantly, to wipe out the contracts dramatically and to ensure that any guest worker returning to China would not be punished. What are they suggesting that we do? Are they intimating that we should send the Northern Territory Police Task Force into China in a secret airlift? Are they saying that we should send a troubleshooter to Beijing to read the riot act to the Chinese hierarchy? Do they suggest that we should do such things without consultation with the federal government? Obviously, the Northern Territory government runs quickly into the boundaries of its responsibilities in this matter.

The whole issue needs to be addressed at a high government-to-government level between Canberra and Beijing. It is a national problem that must be settled at a national level. Of course, the Northern Territory government will cooperate with such moves and will lend what help it can. Already we are working with existing and impending occupants of the zone with a view to having the contracts in their current form abolished. But it is essentially a Commonwealth matter and I do not believe that our direct intervention would be welcomed by the Commonwealth. I remind honourable members that these contracts are not unique to Chinese guest workers with Hengyang in Darwin. I understand that they apply in similar terms to guest workers in other industries in Australia, including defence industries.

Finally, Mr Speaker, I will address the pointless matter which the opposition developed so clumsily on Tuesday, that of sponsorship of guest workers. The member for Stuart attempted to state, as a clear established fact, that it was the TDZ Authority which officially sponsored guest workers. In fact, that was the cornerstone of the opposition's entire contribution to this debate.

Mr Ede interjecting.

Mr COULTER: Members opposite got it wrong. They totally misread a paragraph in the TDZA's annual report which, I think, appears at page 14. They drew conclusions which they were not entitled to draw.

Mr Speaker, let me make the matter crystal clear. The Hengyang company sponsors the guest workers. The sponsorship forms are signed by Hengyang officers, not in any case or at any time by TDZA officers. If the proof is in the pudding, the pudding is the actual sponsorship form. Those forms are signed by sponsoring officers from Hengyang. That should be the end of the matter.

I have attempted today to give honourable members a picture of the positive moves being undertaken to fix the problems which arose out of the Hengyang investigations. As I said earlier this week, we have to get it right and all my energies are being directed to just that effect. The opposition is still stuck in the same old holding pattern of waiting to spill as much political blood as possible. It is still playing the man and not the ball. The Leader of the Opposition cannot shake off his obsessive and pathological hatred of the Trade Development Zone Authority Chairman, Ray McHenry. It colours everything he does and everything he says. It underlies almost his entire contribution to this debate. Meanwhile, in the real world, the government, the TDZA, the participants in the zone and responsible union officials are working together for a positive result.

Mr Speaker, I rest my case and move that this statement be noted.

Mr EDE (Stuart): Mr Speaker, the Trade Development Zone has a future. We believe it has a good future. All it needs is a new minister and a new government to back him up, a government formed from members on this side of the House. That is the way we will get the zone on the road and operating properly. Working together with companies in the zone and with the involvement of their staff and the unions, we will see the Trade Development Zone manufacturing quality products and operating at a profitable and substantial level of growth. The problem with the Trade Development Zone at present is that it has been affected by years of incompetence from both the minister opposite and a succession of other ministers. It is absolutely incredible.

This debate must not pass without it being stated very clearly that none of the improvements which the minister says are in train for ordinary workers at the Trade Development Zone would have occurred but for the actions of Miss Huang Hanying.

Mr Coulter: That says a lot for the monitoring committee.

Mr EDE: It says a lot for you mob, that is right.

The improvements are a testimonial to the courage of that woman and I believe that we should pay tribute to her. I believe that, in the years to come, guest workers around Australia, and possibly even overseas if the improvements flow on, will pay tribute to Miss Huang Hanying for her courage and fortitude in standing up to the haranguing, the abuse and the misconstructions heaped upon her by the minister opposite. In time to come, when the real story comes out, Miss Huang will stand out as a courageous person who had the guts to blow the whistle on what was going on at the TDZ, and appropriate tribute will be given. I would like simply to place my tribute to her on the record at this stage. She has shown great courage.

One element remains outstanding, although we have not yet had time to go through all the steps which the minister says he has put in place for the future. We will have our discussions in relation to them and examine them later. The point which the minister missed altogether relates to what happened previously. He has stated that criminal charges may be laid. His press secretary referred to skimming practices which, as we all know, constitute a form of theft under section 210 of the Criminal Code. He spoke about coercion and, in some cases, extreme coercion which is an offence under section 200 of the Criminal Code. He referred to medieval practices at the zone. However, nothing he has said has indicated that he has put in place a proper process for getting to the bottom of the charges made following an investigation, not by us, but by his own press secretary. His

press secretary carried out an investigation and stated that criminal actions had occurred there. Criminal actions should be investigated by the police.

Mr Coulter: You have to substantiate it, of course.

Mr EDE: You do not have to obtain proof before you involve the police.

Mr Coulter: You don't!

Mr EDE: You had your investigation. The minister's press secretary and his own picked team investigated and they said that criminal acts had taken place there. Nevertheless, the police have not been informed. It appears to me that the honourable minister opposite intends simply to sweep the matter beneath the carpet and get it out of sight and mind. Of course, we will be keeping our eyes on what happens in that regard.

The fundamental point is that the Trade Development Zone does have a future. It will have a good future when the honourable minister is replaced by a new minister from the Labor side of the House, operating with a new chairman and with the involvement of employers, staff and unions to develop quality products for export and to provide jobs inside and outside the zone for Territorians.

Debate adjourned.

MOTION
Management of Parks in the Northern Territory

Mr FINCH (Transport and Works)(by leave): Mr Speaker, I move that:

1. recognising the Territory government's genuine concern for responsible and appropriate protection of the environment, its longstanding commitment to sustainable economic development of the Northern Territory and its legitimate and appropriate responsibility to administer all state-like functions, this Assembly:

   (a) condemn the unacceptable and irresponsible approach to the environment demonstrated by the Australian National Parks and Wildlife Service and the federal government in the unnecessary destruction of 150 desert oak trees in Uluru National Park;

   (b) condemn as unacceptable and contrary to undertakings given to the Territory government the Australian National Parks and Wildlife Service proposals for a review of arrangements for Uluru National Park directed towards the imposition of limitations on future visitor numbers to the park;

   (c) call on the federal government to accept that responsible environmental management at Uluru National Park requires adequate provision of appropriate facilities and infrastructure to enable increasing visitor demands to be accommodated without prejudice to environmental protection;

(d) call on the federal government to repudiate immediately the recent decision by the Australian National Parks and Wildlife Service to terminate the future operations of boat cruise activities which have been very successfully carried out by a private sector operator at Yellow Waters in Kakadu National Park and which have contributed to the enhancement of Kakadu National Park as a major scenic attraction;

(e) condemn the Australian National Parks and Wildlife Service for its decision to require residents of Yulara to pay park entrance fees each time they wish to visit locations within the park and call on the federal government to reverse this decision;

(f) call on the federal government to enter into immediate negotiations for the transfer of full responsibility for the management of Kakadu and Uluru National Parks to the Northern Territory government for management by the Northern Territory Conservation Commission; and

2. this resolution of the Legislative Assembly of the Northern Territory be conveyed immediately to the Prime Minister and appropriate Commonwealth Ministers.

Mr Speaker, honourable members of the opposition have already demonstrated this morning their great interest in this subject and I will listen attentively for some constructive contribution from them on this matter later. One of the principle catalysts for this motion has been the desecration of Uluru National Park by the totally unnecessary demolition of 150 mature desert oaks. Quite genuinely, I find that to be abysmal, particularly when one considers it in the context of the track record of the Conservation Commission of the Northern Territory during the time when it had responsibility for what was to become Uluru National Park.

In those days, my experience with the Conservation Commission was not as a politician but as a consulting engineer. In respect of construction works for the Yulara tourist development, Transport and Works officers had been briefed in relation to environmental issues. It was made extremely clear to them by the Conservation Commission that no mature desert oak was to be demolished unless it was absolutely necessary. I had some involvement with the first 14 km of water main. We walked the entire proposed route and each and every mature desert oak was identified and avoided.

Given the spacing of the trees, it was not so very difficult to avoid them in constructing a water main. Heavy stands of trees occur only every 5 km and the grand old trees are fairly easily avoided. The construction of an airstrip allows for much less flexibility but, in spite of that, an absolute minimum of damage was occasioned by construction of the airstrip and the associated roadworks to the Yulara community. They were aligned, as far as was practicable, to avoid mature trees. The drainage system in the town, the location of hotels and so forth were designed to cause minimal damage to the dunes. Most importantly, there was no damage to mature desert oaks.

The custodian of Uluru National Park, the Australian National Parks and Wildlife Service, is led by Minister Richardson and the infamous Professor Ovington. Professor Ovington is certainly well known to Territorians, and I say unashamedly that his pending retirement will not

come quickly enough. The man is not to be trusted with national assets nor with assets of the Northern Territory. Late last year, we referred to the unnecessary demolition of half a dozen desert oaks to allow for the installation of a fee collection station which could have been located almost anywhere. Nevertheless, the ANPWS selected a site that contained 6 trees.

Mr Speaker, to demonstrate the total irresponsibility and ineptitude of the ANPWS, let me tell you about that fee collection station. We are all appalled by the fees etc, and the Minister for Tourism will speak about that later. The ANPWS has installed a beaut, modern building for the purpose of collecting fees from visitors to the park, but the entrance has been designed in such a way that it is too low for the deluxe bus to be driven underneath it. It is a waste of taxpayers' money.

Let us slowly retrace the processes which occurred in relation to the Olgas road. In 1982-83, the Northern Territory government identified, quite correctly, that the existing alignment was bad for the environment. It was a flat-bladed track that was continually worn away and which, in some places, left the road surface more than a metre below the natural land surface. The damage to vehicles was phenomenal. The state of the road was putting people at risk, and causing injury and death. Furthermore, use of the road was killing off the surrounding mulga trees. It lowered the watertable, causing problems for the trees. For all those good safety and environmental reasons, a new road was proposed by the Territory government. Not only was it proposed but we went as far as having a design prepared, a design which would have protected all mature desert oaks.

Mr Bailey interjecting.

Mr FINCH: I will come to the environmental issues. The honourable member can talk about them and he will probably display the same lack of knowledge as the federal member has displayed. In fact, I will refer to some of the federal member's remarks specifically.

One of the major considerations was alleged to be the habitat of the mulgara rat. The alignment proposed by the Department of Transport and Works in 1983 was supposed to affect the breeding area of the mulgara rat. After about 750 nights of trapping, a single rat was found. Hundreds of these rats have been found along the new alignment, jumping out of the sandhills as the road has gone through.

The other issue was supposed to relate to Aboriginal people in the area. The Territory government, through the Conservation Commission, had already gained clearance from Aboriginal traditional owners for the 1983 route. That was all to be undone by ANPWS interference later on.

On another environmental question, the federal member spoke about the question of the palaeo-drainage. He does not know what palaeo-drainage is, of course. For the benefit of honourable members opposite, it is a subterranean, slow-moving body of water which moves between lakes in an area. Palaeo-drainage is very difficult to define and there is even some lack of technical precision in relation to it and what it represents.

The experts at the ANPWS became involved in the exercise and, in their own environmental impact assessment, made reference to the vagaries of the palaeo-drainage system, a system of water some 19 m to 30 m below the land surface. I ask the honourable members opposite, if they have not already done so - and I would be amazed if they have not - to look at that

environmental impact assessment so that they can understand the absurdity of the present situation. Those experts placed a big question mark over whether there was or was not palaeo-drainage in the area and whether such palaeo-drainage, if present, would or would not be affected by the road alignment. But what did Warren Snowdon do? He stated on radio that there had been full public displays of environmental impact statements which said that the palaeo-drainage would be affected. He did not know what he was talking about, although that is nothing unusual.

Mr Speaker, I have already covered the second point raised by Mr Snowdon, which concerned the mulgara rat, and I have pointed out that there are more rats in the area of the new alignment than that of the old alignment. The traditional owners had given clearance to the old route.

Mr Snowdon claimed also that the Department of Transport and Works designed the route, which is not correct. I have clear documented evidence of the many occasions on which Transport and Works surveyors and consultants raised the matter of the desert oaks. The department was acting as technical agent for the ANPWS, of course, and the department's officers asked frequently if it were not possible to leave the large stand of desert oaks, comprising 30 or 40 trees, alone. The answer was no. Apart from a few minor changes from the route established by the ANPWS, it had to remain the same. The main argument for not changing the route was mulga. It was not mulgara rats then. It was the mulga scrub.

I have a great deal of feeling, I suppose, for the few remaining stands of mulga scrub in the bush. However, I really do not give the same priority to mulga scrub - nor I am sure, do other Territorians - as I do to those majestic, historic, age-old desert oaks.

Mr Ede: That is not an environmentally sound view at all.

Mr FINCH: Hang on! That ought not to have been the end of the issue anyway. There were solutions which could have accommodated all concerns. There were probably 50 different, possible alignments for the road. However, in the environmental impact assessment, which was selectively distributed to about half a dozen environmental groups and just 1 Northern Territory government authority, there was identification of the need ...

Mr Ede: You are going to get really smashed around the ears when you sit down, you know.

Mr FINCH: No, not at all. The honourable member will have his chance to demonstrate his knowledge in this matter but, certainly, the original survey was done by ANPWS surveyors, not Transport and Works officers. That is acknowledged on the first or second page of the report.

The report then goes on to consider 3 options. Of course, the existing road is dismissed as a possible route. The route proposed by Transport and Works is certainly a good option, but it is not the only option. I do not stand by it as the be-all and end-all. Any one of another 50 options could have been adopted. However, as I have demonstrated, there was not 1 problem with that route.

The 3 options were mapped. Contrary to what was said by Mr Snowdon, there was no public display. Those who were lucky enough to receive a copy of the environmental assessment report could look at the map and say: 'There we are. Option 3 is recommended'. However, depending on which map one looks at, option 3 involves different routes, none of which represent the

actual route by anything up to 2 km. In talking about sensitive environmental issues, there is a need to be precise or at least honest enough to say: 'Hang on, you few privileged people who have had a chance to comment on this report, we are going to change the route. The one we gave you the other day was not really the route we have in mind'. However, that did not happen and, when the Transport and Works consultant pointed out that a significant number of trees would be destroyed, the response was that the route could not be changed because of the mulga.

In reference to option 3, the report refers to 'Land units in which developments are possible without significant adverse impacts providing the following detailed site criteria can be met'. The first criterion is 'avoidance of desert oak stands'. For the benefit of honourable members, 'stands' involve more than 1 tree. In addition, 'any large individual trees' are to be avoided. My goodness! If members opposite had taken the trouble to visit the site, they would know that some of the trees could not be described as anything but very large.

There is a great deal of debate about how old desert oaks are. Because of their very slow growth rate, they do not mature until they are about 50 years old.

Mr Ede: Rubbish!

Mr FINCH: He says 'rubbish'.

In some very special circumstances, where the environment is perfect, a tree might mature in 15 or 20 years. I will acknowledge that. However, in the main, the trees grow so slowly that their ringed markings are totally indecipherable in terms of accurately estimating the age of trees. Alternative forms of measurement are required to determine the age of these trees. I am no expert on determining the age of trees. I only go on the advice of those who do know about such matters, and their advice over the years, not just to me but to others, has been consistent.

A recent newspaper article claimed that the desert oaks are probably no more than 200 years old. What a statement! 200 years is a considerable period. Just a little more than 200 years ago, there were no white men in this country. I am sure that that is of interest to the member for MacDonnell and his Aboriginal constituents. Some of the trees which were bulldozed for firewood were there before the white man arrived in this country. My goodness!

Let me quote from page 21 of the environmental assessment report in relation to the route to be taken: 'The alignment does pass through a stand of desert oaks. However, all except 1 or 2 young trees will not be affected'. Forget the maps! Come to the conditions upon which the route was to be established: avoidance of stands, avoidance of single large trees - and now the description of the route: only a few young trees were to go. The ANPWS has disregarded totally its own environmental impact assessment. Of course, that assessment was approved by the federal minister. He took the decision that, in this national park, a full environmental impact statement was not needed. He alone took that decision and determined that the assessment would be distributed only to a selected, privileged few.

Those privileged few now have a role to play. Foremost amongst them is the Environment Centre and the spokesman for the Australian Conservation Foundation, Mr Krockenberger, who holds the view that desert oaks do not

really matter because they are not rare. Perhaps they are not rare according to the formal definition but, for God's sake, how can Mr Krockenberger stand up as a custodian of the environment and condone this unnecessary destruction? If there were no other choice, I guess we would all have to accept it. However, given that there were 50 choices, he stands condemned himself. All he could manage was to say that Transport and Works should look at its own backyard. That is the same line as the Labor Party runs. There has to be a political connection. There can be no other way. His response was to ask what we did on the roads in Kakadu.

Let me tell you about the new road in Kakadu, Mr Speaker. I am talking about stage 3 of the Oenpelli Road, which we are seeking to construct along a route which goes through the Ranger lease. We have undertaken a full, public environmental impact statement and it has been approved. The ABC was advised of that very early in the day but, nevertheless, it ran the Krockenberger line that, in determining that route, the Territory government had taken no notice of environmental issues. That is absolute nonsense.

In fact, when we look at the role of the ABC, it is clear that it obtained exclusive television coverage completely by accident. I was at Uluru with the federal opposition's transport spokesman. I was accompanying him in that part of the Territory in order to show him some of the road conditions which demonstrate the need for a reinjection of funds into the Territory. He sought to look at the Olgas road because it had been the subject of extensive debate in the federal parliament, going back to the time when John Brown raised the subject of a possible monorail and, in so doing, demonstrated environmental irresponsibility and a flippant approach to environmental issues. What absolute nonsense that idea was! One might say, in a tongue-in-cheek vein, that we might have been better off with a monorail than with what we have now. 'It is all too late,' she cried.

Let us come back to what we have done in relation to the third stage of the Oenpelli Road and what the role of the ANPWS has been. It has control of the national park and, superficially, it has bowed to the wishes of the NLC in relation to Kakadu, where we want to build the road along a sensible alignment which has been subject to and approved in an environmental impact statement. That alignment runs through the Ranger lease although there is a short stretch at each end which extends outside it. A suggestion has been made by the NLC that it really does not want that road there. It wants to go back to the old alignment which runs through Magela Creek. The NLC wants a floodway at Magela Creek, which would mean that visitors would be unable to travel to the East Alligator crossing for 3 or 4 months of the year. As usual, many visitors will end up being trapped between Magela Creek and the East Alligator crossing. That is a ridiculous situation.

When we turn to the matter of environmental responsibility, we see that support of the NLC recommendation means that the salvinia weed in Magela Creek will be picked up by vehicles going through the low-level crossing and distributed throughout the rest of the park. The whole debate is about irresponsibility. The ANPWS cannot be trusted, and the sooner Professor Ovington retires and returns to England to his little country parks, the better for all Australians and all Territorians.

Mr Hatton: He has.

Mr FINCH: Has he gone? Thank goodness, Mr Speaker!

Let us come back to the role of the ABC, which has exclusive footage from Uluru. Quite by accident, when the ABC went to film us at the Uluru Road, a national scandal was apparent for all to see.

Mr Smith: A national scandal?

Mr FINCH: A national scandal! It was on the same day that Senator Richardson, Mrs Hawke, Bob Collins and Warren Snowdon were planting gum trees. Whilst that was a good thing, those trees fade into absolute insignificance when measured against the desert oaks. The cameraman was beside himself. He had obtained a national scoop. As a freelancer, he could see that he would be able to make a few bucks out of his footage, travelling at the taxpayers' expense ...

Mr Ede: How did you get there?

Mr FINCH: In exactly the same way, and legitimately - by aircraft. My role is to promote road funding in the Northern Territory, for goodness sake. Warren Snowdon does not. He stood by and told a bit of a fib last year about road funding, if you remember. He said that Territorians received an extra 10%. Do you remember that? Helen Galton will remind him about that statement often. In fact, she has reminded him already.

It is of interest that we have had 7 federal Ministers for Transport in the last 3 years, and one wonders why they cannot get it right. The shadow minister will be the next Minister for Transport, of course, and I have taken him out and about to ensure that he knows what condition Northern Territory roads are in so that we will receive at least our fair share. It will not be as it was last year, when $3m was cut from our highway funding, making a total of $15m in real dollars in the last 4 years, and when we missed out totally on our share of the 10% increase which everyone else in Australia received. What did Warren Snowdon get for the Territory? Zilch! He lost $0.5m in total global funding for the Territory. He lost $3m in highway funding, and he made sure that we did not get our $4m share of the bonus which everyone else received.

Mr Hatton: I wish he had not lobbied on the soil conservation program either. He cost the Territory money there.

Mr FINCH: My goodness, I wish he would keep out of these issues.

So, the ABC has this exclusive film footage. A 2-second clip of it was shown on a news item, after which it was sealed up and put in a drawer not to be used any further. I suggested that I debate the matter on the 7.30 Report or something similar with Warren Snowdon, so that people could see what the real issues were and understand the facts for themselves. That might be a suitable opportunity for the ABC to show this footage so that people could get a feeling for what we are talking about.

The member for Wanguri can sit there and smirk as much as he likes. He was down in Alice Springs the other week and I suggested that he go out to Ayers Rock and see for himself what is happening. The member for MacDonnell, in whose electorate it is all happening, could not care less. I assume that he has not even been out to see it. He has made no comment.

Mr Bell: You had better be careful.

Mr FINCH: Certainly, he has made no comment about it.

That footage was in high demand from Channel 10 interstate. What was used on the Today Show? The ABC did not want to use it. Why will it not release it? It has been paid for by the taxpayer. If it were released for a fee, the ABC would be able to recoup its money.

Members interjecting.

Mr SPEAKER: Order!

Mr FINCH: The ABC could have recouped the lousy fee it paid to this man. But no, it has sat on it. Why did it do that? I am sure the answer to that question would be quite extraordinary.

Mr Bailey: Conspiracy!

Mr FINCH: Well, I would think that there may be a need for an inquiry. After March, it may be that the federal Coalition government will have a good look at the role played by the ABC.

In the last few minutes I have, let me mention some other irresponsible actions.

Members of this House have spoken often about the Conservation Commission and its attitude to the environment. When we were involved in the late 1970s and early 1980s in connection with the Yulara development, the desert oaks were high on the commission's agenda. The sensitive and fragile nature of the sandhills was well and truly put to all of the consultants and the contractors involved. They were told not to leave the roads unnecessarily, to stick to existing tracks and to watch out for the vegetation on the sandhills - the spinifex and so forth - which takes a decade or more to regenerate.

Another small matter has been brought to my notice and I have not had a chance to find out if it is factual or not. The local member could do that. Next time he is at Yulara, he might like to ascertain whether or not it is correct that within this national park, a national park with very high status, a D6 bulldozer was used to rip up rabbit warrens thus desecrating acres and acres of fragile sandhill country.

Mr Bailey: Well, what do you expect?

Mr FINCH: You don't think that it is significant?

Mr Bailey: What do you think rabbit warrens do?

Mr FINCH: The opposition spokesman on the environment ...

Mr DEPUTY SPEAKER: Order! I remind the member for Wanguri that he has received a letter from the Speaker this morning with respect to standing order 51, as have other members of this Assembly. I ask him to read that letter.

Mr FINCH: Mr Deputy Speaker, for the member for Wanguri to suggest that clearing rabbits from a national park with a D6 bulldozer is anything like responsible is remarkable. He may have used that approach for the removal of a few palms but certainly it is not the most delicate of methods to use for the removal of rabbits. It is not necessary to tear up the entire environment, given that it will take a decade or more for the vegetation to re-establish in that sandhill country. I do not think that the honourable

member has the slightest understanding of the fragile nature of that area. Certainly, he does not display it.

As far as the irresponsibility of the ANPWS in Kakadu is concerned, if you will pardon my French, Mr Deputy Speaker, I nearly chunder every time I drive along the Arnhem Highway and pass the massive monuments raised to Professor Ovington on each side of the road at the entrance to the national park. They present a traffic hazard in themselves. The professor intended to erect a boom gate there, to aid with the collection of entrance fees. Even though the road did not belong to him, there was no question of his seeking approval. It seems that monuments are what national parks are all about. Until last year, no money was spent on any of those roads, such as the Kakadu Highway or the Oenpelli Road.

Mr DEPUTY SPEAKER: Order! The honourable minister's time has expired.

Mr SETTER (Jingili): Mr Deputy Speaker, I move that the minister be granted an extension of time to complete his speech.

Motion agreed to.

Mr Ede: Are you going to table the EIS?

Mr FINCH: I am happy to provide the honourable member with a copy of the environmental impact statement. I am amazed that members opposite did not take the trouble to pursue it, given that they were so interested in this matter.

Mr Ede interjecting.

Mr FINCH: Mr Deputy Speaker, the member for Stuart interjected that I will bulldoze things. That is an example of the flippant attitude of the opposition. It demonstrates again the double standards held by them and their colleagues. I am amazed to hear it from him.

It took almost 7 years of bludgeoning to obtain funding for the Olgas road. In the end, Territory taxpayers had to contribute $1.25m from this government's scarce funds to embarrass the federal government into doing something about that road within its own park. As far as Kakadu is concerned, I acknowledge that the Commonwealth spent a few dollars on the Cooinda Road. From memory, it was $50 000 or so. It also contributed $1m out of $7m for the road from the Arnhem Highway to the East Alligator crossing. If the Commonwealth does not approve the road through the Ranger lease, which was to be funded almost entirely by the Northern Territory government with no contribution from the ANPWS, it will have to go back to the existing route and find 50% of that $3m or $4m to finish off the relevant section of the existing road, and the result will still be totally inadequate for 3 or 4 months of the year.

When we look at attitudes towards parks from the point of view of construction of infrastructure alone, it is very clear that the terms of this motion ought to be supported by each and every member in this Chamber. I close by again inviting Warren Snowdon, the member for MacDonnell and the opposition environment spokesman, to take the trouble to visit the Olgas area and to look with an open mind at all the route options. I am sure that, if they do that, they will satisfy themselves that $5000 worth of firewood really was not worth it.

Mr BAILEY (Wanguri): Mr Speaker, I rise to respond to the motion. It is an incredible hotchpotch that seems to go nowhere. A significant number of the issues in the motion were not even touched on by the honourable minister.

His favourite issue at the moment is that of the desert oaks and the Katatjuta Road. He accused me of not going out to the area when I was in Alice Springs recently. My visit to Alice Springs was arranged some time before this issue arose. Basically, it was a 24-hour visit to meet a number of people and organisations who are involved with environmental matters in the area. When the matter of the ancient desert oaks became a public issue, I discussed with these environmental groups in Alice Springs the concerns that have been raised by the Minister for Transport and Works. These organisations included the CSIRO Arid Lands Research Unit, the Arid Lands Environment Centre and the National Trust. None of these bodies, which are supposedly highly concerned about environmental issues, seems to share the minister's concern in respect of the importance of the oaks in question. In fact, it would appear that the minister's timing coincided significantly with the emergence of an important issue in Darwin at the same time. Not only the Minister for Transport and Works but 2 other ministers spoke publicly about the Tiger Brennan Drive extension through the Darwin Primary School precinct and Frog Hollow.

Mr Manzie: It is not through Frog Hollow now. What happened? We are going to tell some truth now, are we?

Mr BAILEY: If the honourable minister would like to check my press releases, he will see that I have always referred to the Darwin Primary School precinct and Frog Hollow. Honourable members may be aware that Frog Hollow is actually the original playing area associated with the Darwin Primary School.

Mr Manzie: Some of us have lived here a bit longer.

Mr BAILEY: The proposed extension passes between the actual buildings and the Frog Hollow area. It seems that the area which was to be used for the road is actually listed by the National Trust.

Mr Manzie: Stick to the subject before the House.

Mr Harris: Get on with the debate. Come on.

Mr BAILEY: I am getting there.

Initially, ministers stated that the road was to go through fairly soon.

Mr Manzie: Rubbish! You said that.

Mr BAILEY: Ministers then gradually postponed it, after the Attorney-General said on radio that the road would not be going through in the next few days, implying that it had been intended to put it through in a few days. We now have the Minister for Transport and Works saying that it may be 20 years before that road goes through.

The Minister for Transport and Works says that one of his major concerns is that no public environmental impact statement was carried out in relation to the Katatjuta Road. He has said on a number of occasions that it was not public. The question that was asked in question time this morning was to

determine what sort of environmental impact assessment is carried out on the roads that the minister supervises.

Mr Hatton: We are not debating question time. We are debating the motion.

Mr BAILEY: Fine, I am debating the motion.

Mr Hatton: Why were you referring to question time then?

Mr Finch: We do not have too many desert oaks in McMinn Street in Darwin.

Mr BAILEY: My understanding is that the motion is talking about the responsibility of the federal government, and I am leading up to that.

Mr Finch: Irresponsibility. Let us get it right.

Mr BAILEY: Mr Speaker, I move the following amendment to the minister's motion: that all words after 'that' be omitted and in their stead be inserted 'this Assembly condemns the uncooperative and confrontationist attitude of the CLP government towards federal government authorities adopted for short-term, unproductive, political objectives'. Clearly, that is all that this exercise involves.

In this motion, we are seeing again an attempt to bring confrontation into the dealings between the Northern Territory and the federal government. I will give an example of the effect of that. Tracy Village Social Club, and the precinct which surrounds it in my electorate, has been spoken about in this House by many members, who have stated that they have had dealings in relation to the matter. The number ...

Mr Hatton: What has this got to do with it?

Mr BAILEY: It has a significant amount to do with it.

Mr Finch: Johnny-come-lately!

Mr BAILEY: Yes.

Mr HATTON: A point of order, Mr Speaker! I understand that it is normal practice, when amendments or motions are put, to circulate them so that honourable members can see what they contain. Nothing has been circulated.

Mr SPEAKER: There is no point of order, and I will explain why. Normally, amendments to bills and so forth are circulated. A typed version of the honourable member's amendment is being photocopied now and will be circulated.

Mr POOLE: A point of order, Mr Speaker! I am somewhat confused about that point of order because the member for Wanguri referred quite clearly to all words after the word 'that'. In the original motion there is no 'that'.

Mr Bell: That is because what Fred circulated ain't the form of the motion.

Mr SPEAKER: There is no point of order.

Mr BAILEY: As I was saying, the purpose of my amendment is to bring to this House's attention the way the actions of the government are used again and again to attack the federal government and to introduce an uncooperative approach to dealings.

As far as Tracy Village is concerned, it is apparent that the confrontationist approach adopted by this government towards the federal government over many years has not achieved much progress at all in the renewal of the lease. As I am regularly reminded, I have been a member of this House for a short period only. However, by means of a cooperative approach, I have achieved a commitment from the relevant federal minister that the Tracy Village lease will be extended for 5 years with an option for 5 more years. In addition, the minister has made a commitment to look into freehold title for the club.

I repeat that I have moved this amendment to the motion to demonstrate that the confrontationist attitude which this government adopts in its dealings with the federal government explains why it does not get anywhere. A cooperative approach was needed during representations over the last 6 months in order actually to get something sorted out.

Mr Finch: Forget the Territory's entitlements and equality of treatment. Forget all that. Don't keep apologising for them.

Mr BAILEY: No. We are trying to work through a cooperative ...

Mr Finch: What about the trees?

Mr BAILEY: What about the trees?

Mr Manzie: That is what we are talking about.

Mr BAILEY: Right.

Mr Finch: When environmentalists say 'Do not worry about the trees', what do you say about the trees?

Mr BAILEY: All right, what about the mulga trees which you say are irrelevant? According to the minister, it does not matter if mulga trees are chopped down. It does not matter if gum trees are being planted elsewhere. All that is insignificant because desert oaks happen to look nice. That view exemplifies the level of environmental concern which has been shown by this government, year after year. When government members talk about the environment and green issues, really they are concerned about whether things will look nice for the tourists.

We also have the ludicrous posturing by the minister in relation to dealing with the rabbit problem in central Australia. Rabbits are a major environmental concern there. One of the few ways of getting rid of them is to deal with their habitats.

Mr Harris: With bulldozers?

Mr BAILEY: Yes, with bulldozers. Bulldozers, dynamite and other things have been used by many groups throughout Australia as a means of overcoming the rabbit problem.

Members interjecting.

Mr Harris: You are a good environmentalist.

Mr Bell: You want rabbits there, do you Tom? The only rabbits here are on the government benches.

Mr LEO: A point of order, Mr Speaker! Yesterday, the member for MacDonnell was reminded of the content of standing order 51 which relates to the level of, if you like, cross-Chamber chatter whilst a member is speaking. The level of interruption caused by members opposite to my colleague is unreasonable. I ask that you direct them to curtail their remarks.

Mr SPEAKER: I agree with the member for Nhulunbuy. I ask honourable members on both sides of the Chamber to observe the rules of debate. The member for Wanguri will be heard in silence.

Mr FINCH: A point of order, Mr Speaker! I draw your attention to the cross-Chamber comment of the member for MacDonnell in which he referred to members of this side of the House in an unparliamentary manner.

Mr SPEAKER: I did not hear what the honourable member said. I will read Hansard tomorrow. If there is a need to address the matter, I will do so privately with the member for MacDonnell.

Mr BAILEY: Mr Speaker, I will complete discussion of my amendment by saying that, until the Northern Territory government tries to use some form of cooperative bargaining with the federal government, it will find that it is unlikely to be taken seriously when it wants cooperation. If matters such as the desert oaks along the Katatjuta Road are used as an excuse for motions such as the one before the House ...

Mr Finch: The environmental report talks about their significance. You do not think they are significant. The environmental loony groups around the Centre do not think they are significant, but the environmental report talks about their significance.

Mr BAILEY: I will pick up that interjection. The environmental report contains a section which specifically concerns the alignment of the road in a particular area. It indicates that a couple of desert oaks will be taken out and that a grove of desert oaks will remain. It says also that, in another area where desert oaks are present, an attempt should be made to find ways around them with minimal disruption. We have, as mentioned by the minister ...

Mr Finch: Page 17 says 'providing that'. It does not say 'try'. It is there in clear English.

Mr SPEAKER: Order! The Minister for Transport and Works will allow the member for Wanguri to conclude his remarks in silence.

Mr BAILEY: If we rely on the honourable minister's numbers, 150 desert oaks are involved. The document states that, in some of those areas, desert oaks comprise up to 10% of the shrub and tree cover. If the road is 34 km long ...

Mr Finch: It is now 43 km. They went the long way round.

Mr BAILEY: ... we are talking about 3 to 4 trees per kilometre. As I said earlier, environmental groups and the minister's own department have

been involved in the project and have praised the road design. The use of this issue as an excuse to bash the federal government makes my amendment particularly relevant. As long as this government maintains its confrontationist and uncooperative attitude towards the federal government, it will fail in its short-term, political objectives.

Mr COULTER (Leader of Government Business): Mr Speaker, the House is debating a motion which must be taken seriously. It relates to a matter of grave concern. The amendment proposed by the opposition is so general as to be absolutely meaningless. It has nothing to do with the debate in which we are involved and we want to get back to the subject of that debate as fast as we possibly can. The proposal by the opposition is, as I said, so general as to be meaningless. Mr Speaker, I move that the amendment be put.

The Assembly divided:

Ayes 15	Noes 7
Mr Collins	Mr Bailey
Mr Coulter	Mr Bell
Mr Finch	Mr Ede
Mr Firmin	Mr Lanhupuy
Mr Floreani	Mr Leo
Mr Harris	Mrs Padgham-Purich
Mr Hatton	Mr Tipiloura
Mr McCarthy	
Mr Manzie	
Mr Palmer	
Mr Perron	
Mr Poole	
Mr Reed	
Mr Setter	
Mr Vale	

Motion agreed to.

Amendment negatived.

Mr VALE (Tourism): Mr Speaker, I welcome this opportunity to speak in support of the motion and to reveal details of the latest and most treacherous move yet in an insidious and cowardly program by agents of the Commonwealth to disenfranchise Territory operators in the premier tourist regions, the Kakadu and Uluru National Parks.

The latest move comes not as a bolt from the blue, because we have been conditioned over the years to predict the worst possible scenario in our relationship with the Australian National Parks and Wildlife Service, but it comes as a fulfilment of our worst expectations. The service has announced a review of visitor use of the Uluru and Kakadu National Parks. It has virtually informed the latter park's principal tourist operator, Australian Kakadu Tours, to get ready to get out and forget what it has done to promote the Territory. In effect, the ANPWS has said: 'Forget the effort, forget the investment, just get going. We have another operator. Tough titty, Tutty'.

In a letter to the Australian Kakadu Tour operator, Daryl Tutty, the service has said that a new set of principles has been adopted to form the basis of a strategy to control the use of boats on the park's waterways. I quote now from the letter which Mr Tutty must have read with some horror,

given the devastating effects of the pilots' dispute on his operation: 'A principal feature of the adopted strategy is to restrict all commercial boating activities on Yellow Waters to operations associated only with the Cooinda Motel'. Mr Speaker, for the information of honourable members, I table a copy of that letter from the Australian National Parks and Wildlife Service.

The letter goes on to say: 'The board has adopted this position in accordance with the park's current plan of management which provides for the encouragement of Aboriginal interest and participation in the tourist industry'. It continues: 'The date for cessation of other than Cooinda boating operations on Yellow Waters has been set at 30 April 1991'. In other words, Mr Tutty, whose operations rely almost entirely on the use of his $70 000 passenger boat, has been given 1 year's notice to get out of Kakadu.

In my opinion, this is the most ill-conceived, ill-considered and callous decision taken by that agency for the Commonwealth since I entered politics 15 years ago. I would like to think that members on the opposition benches will agree with me and condemn this insidious move, and that they will use their influence to have this irresponsible plan abandoned. An unbelievable situation is developing within the management of our prime tourist regions, and moves such as this one must be scuttled before irreparable damage is done to the entire infrastructure of the Northern Territory's tourist industry.

There is also much uncertainty at Yulara. The Australian National Parks and Wildlife Service has written to the Northern Territory Tourist Commission foreshadowing a program which is tantamount to restricting visitor numbers to the nation's single most famous visited destination. The Red Centre is no more under siege from the 220 000 or more people a year who visit Uluru than is Katherine Gorge, Kakadu, or the Sydney Opera House for that matter. The only reason why anxiety has been expressed in relation to managing numbers at Uluru is because of the people managing them - the incompetent, uninformed federal bureaucrats who have nothing to lose if the commercial side of the Red Centre fails.

For the information of honourable members, I table a second letter. It is from the Director of the Australian National Parks and Wildlife Service to the Chairman of the Northern Territory Tourist Commission.

The Northern Territory and its people have at stake $130m worth of infrastructure within the Uluru National Park. We have built 3 hotels, a major highway, internal roads, an airport, a shopping centre, a police station and a whole desert township to pave the way for new-century leadership in a highly-competitive international industry. A $40m stage 2 development is now in progress, and we have earmarked $20m for future development in order to compete in the market and to demonstrate to operators and financiers that we will back them all the way if they are prepared to play their role in the Territory's tourist industry.

The key to success in any venture is growth. In a tourism venture, the key is visitor growth. Any review which seeks to restrict visitor numbers to any tourism venture is suicidal and must be thwarted. The latest, ludicrous move by the ANPWS is to be seen in the context of years of interference and incompetence at a political level and as a frustrating addition to the farrago of broken promises made to the Territory tourist industry. Federal government promises for tourism spending go back as far as November 1983, coinciding with the 1984 federal election. Infrastructure

development at Kakadu and Yulara was to receive between $30m and $117m. The most common figure bandied about by Hawke was $70m. Big figures are easy to announce and exciting gestures are easy to make when you do not mean what you say. So far, we have seen installed a small piece of shade cloth and a barbecue, and the only real commitment in the Centre is the $4.35m sealing of the road to the Olgas, which has only just commenced.

The only major move to come from the federal government was a change in park fees, for the worse. In January last year, the bright Kakadu sun heralded the introduction of federal fees - fees to support a poorly-administered park ranger base - ranging from $1.50 to $5 a head plus a 50¢ surcharge per visitor to enjoy the natural wonders of a Kakadu boat ride on Yellow Waters and the South Alligator River. In October last year, at Ayers Rock, the beauty of the Rock at sunset cost more to experience when the Commonwealth increased its fees to $5 per adult. These unfair and unannounced imposts came in the wake of an unprecedented and outrageous fee imposed on professional photographers in August the previous year. Honourable members may imagine the impact this has had on the global promotion of the nation's most noted natural feature, as they may imagine the disgust with which this government viewed the statement made to the Senate by Senator Graham Richardson in December in answer to a question from Senator Tambling, and I ask them to take this in context with what the Prime Minister said several years before:

> The National Parks and Wildlife Service, for some years now, has been responsible for starting to put into Kakadu and Uluru the infrastructure to enable tourists who enjoy those places to go there. That is something that Senator Tambling's Northern Territory government has always refused to do.

Senator Richardson gravely misrepresented the true situation at Uluru and is engineering an insidious program which seeks to restrict numbers and undermine the entire tourism infrastructure in the Northern Territory. The national parks do not need fewer visitors; they need more competent management programs. Merely by canvassing the proposition of restricting numbers, the service has admitted its own incompetence. How many of the other great national parks of the world have restrictions on visitor numbers - Yellowstone National Park and the Grand Canyon for example? World parks belong to the people, and governments must do everything possible to nurture opportunities for the world to see these great and inspiring natural wonders. They should not turn people away or restrict them. That is done only in Australia, and there only by the Australian National Parks and Wildlife Service. If it cannot manage the park, let it hand it over to us. We have the track record of leading this nation in promoting our natural wonders and we have the capacity to treble or quadruple visitor figures in the next decade without remotely impinging on the Aboriginal heritage or the environment.

I am rendered almost speechless by the degree of Commonwealth callousness in giving notice of these crippling measures at a time when, in the Territory, we have all been brought to our knees by the crippling effects of the pilots' dispute. It is not a matter of reducing or restricting the visitor numbers in our park; it is a matter of controlling and managing them properly once they enter the park boundaries. The Territory government rallied to the cause and implemented emergency facilities during the dispute, such as the Royal Brunei flights, and injected millions of dollars into incentive programs to help offset the effects of the dispute.

Commonwealth emergency relief funds were offered only in the form of promotional funding. However, they were too restrictive to be of any immediate use to our operators and, therefore, we are now limping along in the hope that the new season which begins in April will enable our operators to survive. However, as we wait we are told that, whilst the airlines share in a $50m compensation package from the Commonwealth, passengers have been subjected to a 5% increase in fares and can look forward to another increase towards the end of this year.

Add to this yet another recently announced increase in charges to bus operators at the Darwin and Alice Springs Airports, which the Federal Airports Corporation proposes to introduce. This out-of-the-blue heist caused tour and bus operators untold anxiety and brought about a threatened blockade at the Darwin Airport, causing more disruption, confusion and hardship at a time when all operators have been blitzed by an industrial dispute prolonged by mercenary parties to the dispute. Operators are faced now with a $500 fee per company for the first coach and $200 for each additional coach at these airports. This outrageous proposal penalises the entire tourist industry as, quite naturally, these fees are passed on.

The mythical federal funding of the Darwin Airport has taken a savage toll also of Territory tourism planning. Funding was promised in 1984, again in 1987 and again this year but, with a $17m shortfall in the promised $72m. Airports play the key role in any tourist industry, but the Northern Territory has a greater dependence on its airports than does any other part of Australia with long-haul destinations. We are hamstrung in maximising the full potential of international visitors to our industry. An international airport at Darwin is vital to the full development of our industry. It will introduce an exciting new dimension to the way in which this government and independent operators can and will promote the Territory. Take a look at the multi-million dollar development of the 5-star accommodation, our casino and other ventures which have pushed Darwin to the forefront of ...

Mr BELL: A point of order, Mr Speaker! The honourable minister's comments should be relevant to the motion before the Assembly. The honourable minister is now proceeding to comment on the Darwin Airport which is not referred to in any shape or form in the motion. His comments are far too broad-brush to be acceptable in the context of this debate.

Mr SPEAKER: I allowed the member for Wanguri a tremendous amount of latitude. The Minister for Tourism, who has the responsibility for his portfolio, should try to restrict his comments to the motion. However, I will not pull him up in this instance.

Mr VALE: Mr Speaker, a great deal of infrastructure is in place already in the Top End. This infrastructure waits patiently for the commencement of operations at an international airport and is dependent on the Commonwealth. The only airport to be built in the Northern Territory within reasonable memory was built at Yulara, and we built it.

We are now hearing pre-election bleatings from Labor representatives, Senator Collins and MHR Snowdon about what they have done for the Territory. Cautious Collins and Silent Snowdon have been very conspicuous by their lack of ...

Mr BELL: A point of order, Mr Speaker! I call on the Minister for Tourism to refer to members of the House of Representatives and the Senate, however troubled he may be by their current political campaigns, in suitable

terms. I suggest to you the terms he has used this afternoon are far less than suitable.'

Mr SPEAKER: I remind the Minister for Tourism that standing order 62 requires that members of other parliaments should have the proper respect of this House.

Mr VALE: Thank you, Mr Speaker. I referred to them correctly the first time. Am I supposed to do it the second and subsequent times?

Mr SPEAKER: That is quite right.

Mr VALE: They have been conspicuous by their lack of commitment on the issues which go to the very heart of the progress of the tourist industry in the Northern Territory. The only contribution the federal member made during the pilots' dispute came in the form of mischievous politicking. He engaged in a vitriolic and cowardly campaign to undermine the initiatives taken by this government and to misrepresent my endeavours to gain funding for tourist operators during its time of crisis. Senator Collins' only contribution came in the form of an inane comment that the federal government would build a new Territory airport without any cost to Territorians. Senator Collins ignorantly implied that Territorians do not contribute to the coffers of the nation. Shallow words and actions do not fall on apathetic ears on such sensitive issues in the Territory. The day of reckoning will come for both gentlemen when the Territory decides who will make up the federal government in the not-too-distant future.

I have raised the issues of planes and automobiles in this address to the House in the context of broken promises and action related to the development of the tourist industry and I must address the issue of trains to complete the vital tourism trilogy. The railway was promised by Fraser and commenced by him. It was promised by Hawke in his first election campaign, and still we have nothing. It was one more broken promise that the federal government would build the Darwin to Alice railway line. The benefits to the Northern Territory and to the nation generally are well documented. What does it take to convince the federal government to assist with this project? Whilst the major emphasis of such a railway would undoubtedly be on freight, obviously there would be a substantial benefit to tourism. A coast-to-coast, Adelaide-to-Darwin railway link through more than 3000 km of ancient, rugged and spectacular world-class scenery would become, without any doubt, one of the great train journeys of the world. It is ironic that Australian National Railways is promoting the Ghan trip between Adelaide and Alice Springs as equal to any 5-star journey in the world.

Mr Speaker, this is my contribution to what should be the pre-eminent debate in this House for the first sittings of the new decade. The Territory government has established the infrastructure to steer tourism into its most exciting phase yet but, because of incompetence at the Australian National Parks and Wildlife Service level and deviousness at the federal political level, we are sailing into very dangerous waters. The full force of support from both sides of the House is now necessary to eradicate this unprecedented threat to the Territory's major growth industry. I support the motion.

Mr BELL (MacDonnell): Mr Speaker, that was an absolutely extraordinary contribution to this debate. It was read word for word and barely understood by the minister. I do not believe it does anything apart from supporting the terms of the motion moved by my colleague which was put as a

result of the use of the guillotine by the government. As far as I am concerned, it had very little to do with the motion moved by the Minister for Transport and Works.

I believe that this hotchpotch of issues, some of which I will make comment on in due course, is inappropriately dealt with in the terms of this motion. For example, the use of the words 'unacceptable' and 'irresponsible' to describe an approach taken by the Australian National Parks and Wildlife Service and exaggerated political attacks of this kind on a federal government authority do the minister and this government, which is staggering from crisis to crisis, no credit whatsoever. Therefore, Mr Speaker, I move that the motion before us be amended by removing all words after 'that' and replacing them with 'this Assembly supports the Australian National Parks and Wildlife Service's efforts in the administration of 2 national parks in the Northern Territory, in the face of and as a result of the Northern Territory government's political direction of the Conservation Commission of the Northern Territory'.

Mr SPEAKER: The amendment is out of order according to the advice that I have, because we have already put the question that all words after 'that' be omitted.

Mr BELL: Mr Speaker, I accept your ruling in that regard and I will proceed to make my comments in respect of that matter in the time available to me.

The plain fact of the matter is that the CLP candidates in the coming federal election and this government are reaping the rewards of 6 years of refusal to accept the role which the actions of this very government forced the federal government to take. If the Minister for Transport and Works or any of his colleagues complain about individual actions of the ANPWS because they have no control over them, they should bear that fact in mind. I do not defend every action of the ANPWS. I am not seeking to do that, any more than I defend every action of every Northern Territory authority. In some circumstances, I believe that constructive criticism is necessary.

Neither the speech from the Minister for Tourism nor the speech from the Minister for Transport and Works, in moving this motion, were anything like constructive. They were hysterical and politically motivated because the minister is dead scared that he will not have a place in this Assembly after the next election, and the other government members know that they have to try to put on the best face for their federal candidates. That is a lost cause if ever there was one.

The reference by the Minister for Tourism to the actions of the ANPWS as 'insidious' and 'cowardly' is not even supported by the contents of the first letter that he tabled. I think that the issues that are raised in that letter need a rather more serious consideration than an off-the-cuff comment by the minister's speech writer. If the question of the revision of the plan of management for the Kakadu National Park is as important as the minister says it is, we should give that proper consideration instead of his trying to score a few cheap points and writing a speech that he will send off to the tourist operator concerned, who may or may not be disadvantaged in the terms described by the minister. I will be very interested to see the outcome of that issue. Kakadu is not in my electorate but I am well acquainted with the national park and some of the operators who work there. I will be very interested to see how this issue is resolved.

The very terms of the letter tabled by the Minister for Tourism do not support his allegations. I remind the minister that he used the terms 'insidious' and 'cowardly' - very strong words indeed.

Mr Vale interjecting.

Mr BELL: You check your notes and you will find that you did. An extraordinary vocabulary.

I turn now to the other letter tabled by the Minister for Tourism.

Mr Perron: Do you want it shut down or not?

Mr BELL: Yes, I do. In answer to the Chief Minister's interjection, I do support the terms of that letter. I do support a rational consideration of limits on visitor numbers in an arid zone park. If the Chief Minister does not support that, heaven help the Northern Territory. Fortunately, he is not likely to be the Chief Minister for a hell of a lot longer so it will not really matter. However, we have had an indication of the lack of ability of both the Chief Minister and the CLP government to understand some of the environmental complexities of running a national park in an arid zone environment.

The Minister for Transport and Works wept crocodile tears here over 150 desert oaks. I have not had the opportunity to be briefed on each of the environmental assessments carried out on the alignment, but let me make a general historical point which will probably go over the head of the Minister for Transport and Works. The minister should remember that, if the liaison between his department, the Australian National Parks and Wildlife Service and the Board of Management of the Uluru National Park is not as he would like it, he has only his own government to blame. The fact of the matter is that this government locked itself out of that national park. This government refused ...

Mr Manzie: Yes, it is our fault. We gave it back. We were pretty quiet about it.

Members interjecting.

Mr BELL: I will pick up a few of those interjections. I hear the clowns' chorus ...

Mr SPEAKER: Order! I would ask the honourable member for MacDonnell to withdraw the word 'clowns'.

Mr BELL: I withdraw the word 'clowns' if it is causing offence, Mr Speaker. I noticed the rapidity with which government members picked me up on that. They must have been feeling guilty.

Mr Speaker, a large number of members on the government benches, sometimes referred to as the class of '83, owe their seats basically to the refusal of Marshall Perron and his predecessors to accept Aboriginal traditional ownership at Uluru and, if there are problems about environmental impact assessments as far as 150 desert oak trees are concerned, and if the minister is really concerned about that, I suggest he read the newspapers from December 1983. I might add that the minister will have plenty of time to do that after the next election, because he will be out of a job. That is really at the bottom of his performance of crying crocodile tears. The minister gives eternal thanks that the federal

government stopped work on the Darwin Airport because it gave him a good photo opportunity. There was little Freddy with a spade, and a bulldozer behind him ...

Mr Vale: I have never seen you with a spade planting a tree.

Mr Manzie: He would not know which end to hold.

Mr SPEAKER: Order! I ask the member for MacDonnell to refer to the Minister for Transport and Works as the honourable minister.

Mr BELL: The honourable minister was standing in front of a front-end loader, holding a spade and looking very vigorous. You could almost see the thought balloon showing him to be thanking his lucky stars that work on the Darwin Airport had been deferred, helping him to hold his seat. The fact of the matter is that he will not be so lucky this time because 150 desert oaks in Uluru National Park will not save him.

Mr Speaker, let us be quite clear about this. I thank the Minister for Conservation for passing across to me the environmental impact assessment of the Katatjuta sealed road alignment in the national park. It was carried out by Lynn Baker, an officer of the ANPWS who is well-known to me and whose efforts have been highly commendable, not just in this regard but in respect of the management arrangements which have pertained in the park in the last few years. I draw the attention of honourable members to the section of the report which deals with flora. For the benefit of the honourable minister, I appreciate that a number of options have been discussed and that various options have been canvassed at different times, but I believe that the terms of this environmental assessment are responsible and that they do not deserve the sort of hysterical response which they have received from the minister.

Mr Manzie: And they should have been stuck with.

Mr BELL: Of course, this is the second hysterical response we have had on this matter. Last November, in this House, the Minister for Conservation held up photographs of a desert oak which had been pushed over to make way for the construction of the new entry station. I visited the location and found that 1 or 2 kurrkara, as they are called in Pitjantjatjara, were involved. If I have time, I will explain the Aboriginal associations of some of the plants in the area. Perhaps members opposite might like to give me an extension of time. I would be quite happy to dilate on those species, their traditional uses and their extent in that area.

In the time remaining to me, I want to stress that this is a mischievous campaign by the government. It began in a sotto voce fashion with the efforts of the Minister for Conservation during the final sittings of last year. However, if his remarks concerning the 2 trees knocked over to make way for the entry station were made sotto voce, it is clear that the behaviour of the Minister of Transport and Works is hysterical and does the cause of public administration in the Northern Territory, together with respect for the capacities of public administration in the Northern Territory, no good whatsoever.

Mr Finch: Would you expect the ANPWS to abide by its own assessment or not?

Mr BELL: Mr Speaker, if honourable members opposite are not already convinced that the minister is crying crocodile tears over the removal of

trees for this road alignment, let me just remind them of the government's recommendations on the plan of management back in 1986. Whilst the minister complains now about 150 trees, it seems that, formerly, the Northern Territory government was quite happy to see every last one of them go. That is clear, because the government insisted that the plan of management should allow for continued exploration and mining in the Uluru National Park. I note that there are no interjections in response to that and I am not surprised.

Members interjecting.

Mr BELL: I see that there are some doubters. I have all the information here. I have a letter to the then Director of the ANPWS. I have also the Northern Territory government's submissions concerning the plan of management for Uluru National Park.

Mr Finch: You are avoiding the subject. Come on, get back to the subject!

Mr BELL: The honourable minister is not too happy about this, and I do not blame him. He can leave now if he wants to or he can just sit there with a red face. I draw his attention to pages 24, 25 and 26 of the resource management section of his government's submission, where it is stated that the draft plan does not allow specifically for exploration and mining in the park.

Mr Finch: Yes, that's right. Next?

NOTE: Due to a temporary power failure, a short portion of Mr Bell's speech was not recorded.

Mr BELL: Let me just point out, Mr Speaker, that the matter of park entry fees is of concern to me. On one hand, those of my constituents who are Aboriginal traditional owners have the advantage of receiving benefits from park entry fees. Without putting too fine a point on it, those people are dirt poor. When they were confronted with the possibility of those park entry fees being increased, they made the decision. The Australian National Parks and Wildlife Service did not make it. The traditional owners made the decision that those fees should be paid. That is one side of the issue.

The other side of the issue concerns my constituents at Yulara. I have been aware of difficulties in respect of this particular part of the motion for the best part of 6 months. I know that my constituents at Yulara, who live in an isolated community and provide services in the tourist industry, have relatively few recreation facilities. Ayers Rock and the Olgas are among the few recreation facilities available to them. I am concerned about the issues involved in the raising of these fees and the demand that people living at Yulara pay them. If the Northern Territory government had taken a more positive approach to Aboriginal traditional ownership over the last 6 or 7 years, it could have done something - and could do something in the future - to come to terms with the contradictions involved here.

People in public life always have to deal with such contradictions. I am quite happy to place on record my acknowledgement of the problem which exists. One of the reasons such problems arise is because this government has not put its best foot forward in building up a positive relationship between the Yulara Corporation and the board of management at the park. It could have done a great deal more in that regard. I have done whatever I

have been able to do, as the local member, but I am not surprised that there are problems.

Mr SPEAKER: Order! The honourable member's time has expired.

Mr EDE (Stuart): Mr Speaker, under standing order 77, I move that an extension of time be granted to the member for MacDonnell.

Motion negatived.

Mr HATTON (Conservation): Mr Speaker, I rise to support the motion. In doing so, I would like to deal with some of the matters which have been raised by 2 members opposite. The member for Wanguri, the most recent shadow spokesman on the environment, has succeeded again in failing to cover himself with anything. Certainly, he has failed to cover himself with glory in this debate. He raised a number of strange and relatively unrelated issues. I would like to take the opportunity to respond to the some of the stranger assertions and allegations made by him.

I will deal firstly with the issue of Frog Hollow. In 1985, this matter was considered as a future planning option for the development of alternative road access to and from the CBD of Darwin when, at some time in the future, the population of Darwin was in the range of 100 000 to 150 000 people. At that time, future planning options were being considered. The Department of Transport and Works and the Department of Lands, of which I was the minister at the time, carried out extensive surveys of different traffic planning options for the city. They had lengthy discussions with the Darwin City Council and other relevant organisations in the Darwin area to consider planning options for a population in excess of 100 000 - a population 40% larger than that which we have today. If a government does not want to start knocking over multi-storey buildings, it plans to have land available on which to build roads in the future so that the traffic flow disasters which are evident in the major cities down south as a result of a lack of planning do not occur.

Long-term future planning was carried out and traffic corridors were identified. Decisions were taken to obtain land so that those options would become available in the future when specific decisions would be taken. When the population is nearer to 100 000 to 150 000 people, those traffic measures will be required. That was done publicly in 1985 and widely debated.

In recent discussions, at which the honourable member was present, this was referred to quite clearly and openly by Ms June D'Rozario as a matter of information in respect of future planning. The honourable member thought: 'Hello, we have them here. This will go through Frog Hollow. I can grab a quick headline'. The trouble is that he missed. The area set aside there as a road reserve does not go through Frog Hollow. In fact, last year, the Minister for Lands and Housing excised the Frog Hollow area. He had it declared to be a reserve under the Crown Lands Act and handed title to the Darwin City Council. It is totally separate from the road reserve. The honourable member has both his location and his timing wrong. I understand that he has decided to go down there and camp in front of the bulldozers. He will need to put in a development application to build on an 01 or 02 reserve because he will need a permanent structure. Even then, the bulldozers will miss him. I hope that he has a lot of patience.

I turn now to Tracy Village and the allegedly uncooperative attitude of this government. For the honourable member's benefit, as was publicly

announced in November last year, the Northern Territory government signed a joint environmental assessment agreement with the Commonwealth. It set out agreed procedures for cooperative environmental assessment which had been negotiated over the last 2 or 3 years and had been put in place. That agreement recognises the validity and logic of our environmental assessment, how we can work together, and whether we assess jointly or whether the Commonwealth assesses or we assess. Does that sound like an uncooperative approach? Far from it, Mr Speaker.

I will deal briefly with land acquisitions. When dealing with Tracy Village, the honourable member maligned the late member for Wanguri, who spent 12 years negotiating in that regard. He maligned all the good officers of the Department of Lands and Housing, as it now is, who have been in consistent negotiation with the Commonwealth over the conversion of that title to freehold since at least 1984, to my knowledge, when I was involved as Minister for Lands. In other areas around Darwin, we have successfully negotiated land arrangements. I refer to the land arrangements which will enable the development proposal to proceed at Cullen Bay. Agreements have been reached in respect of the old ammunition dump at Frances Bay and in respect of a number of other Commonwealth sites in Darwin and the Territory.

Far from being uncooperative, if we can get the Labor politics out of the game, we can get to work. Unfortunately, the new local member decided that he wanted to grab a quick headline. He knew that it was a hot electoral issue and that the Chief Minister raised it in the by-election. He knew that it might arise during the course of the federal campaign. He went on bended knee to the federal Minister for Defence, and what happened? What happened was that he sold out his constituents for a blasted lease! For 10 years, we have been seeking to obtain freehold title. Even in the announcement, the federal minister said that the land would never be used for defence purposes and that it would not change title. Why did the member make this senseless grab for a form of lease? I cannot comprehend that. The members of the Tracy Village Social and Sports Club will certainly pay him out as a consequence of that.

Mr Speaker, Hansard abounds with evidence of the errors which the member for MacDonnell made in his comments on Uluru. We know that, prior to 1983, the Northern Territory government offered freehold title to the Aboriginal traditional owners at Uluru, at which stage the land had been ruled unavailable for claim under the Land Rights Act. Paul Everingham offered freehold title to the Aboriginal people. Aboriginal title was never the issue at Ayers Rock. It was about Commonwealth takeover of a Northern Territory park. That is what the 1983 election was about and that is what the fight has always been about.

In terms of us locking ourselves out of Uluru National Park, I remind honourable members that the Commonwealth government offered us an arrangement under which we would provide the labour and it would provide the management, as occurred at Kakadu. That would have been a disastrous arrangement for the officers of the Conservation Commission. If any member does not believe that, let him or her go and ask the Conservation Commission officers about the sense of alienation and the difficulties they experience working under a separate mob of bosses and being disconnected from their own service. That is the problem, and that is what we would not accept at Uluru. We would not repeat the mistake we made in relation to Kakadu where, despite the fact that the agreement which we made was a bad deal, we have continued to honour it.

Turning to the motion before us, Mr Speaker, the essence of this debate concerns the question of whether or not desert oaks should have been knocked over and how many should or should not have been knocked over. Honourable members will speak about whether we think 1 or 150 is an appropriate number, but I ask people to address the contents of the environmental impact assessment document, and to ask themselves this question: did the Australian National Parks and Wildlife Service abide by its own assessment? I would like to quote a couple of passages from the document. It referred to 3 separate proposed alignments. The final alignment that was chosen was alignment 3, which is the 1989 surveyed alignment. In respect of that alignment, page 21 of the document says: 'The alignment does pass through a stand of desert oaks. However, all except 1 or 2 young trees will not be affected'. It goes on to say that the alignment passes through a section of land, unit 5D.1 (zone 3), which is not relevant to this particular debate. So, it says that 1 or 2 young trees will be affected. Those are not my words. That is from the environmental impact assessment report.

Mr Bailey: In 1 section.

Mr HATTON: That is the section. That is section 3, the 1989 alignment.

Mr Bailey: No, not the option, the section.

Mr HATTON: 'The alignment does pass through a stand of desert oaks. However, all except 1 or 2 young trees will not be affected'. You can read that and say 'on the alignment'. I did not say that. The ANPWS said that.

At page 17 it says: 'Zone 3. Land units in which developments are possible without significant adverse impacts providing the following detailed siting criteria can be met: (a) avoidance of desert oak stands and any large individual trees; (b) avoidance of dense mulga swales; (c) avoidance of cutting through major dunes; (d) minimal effects on local dune drainage; and (e) minimal reduction in important habitat areas'. Those are not my words but the words of the environmental impact assessment.

We turn then to page 24 of the document, which says, under item 7, construction and monitoring: 'Construction of the road should be carried out with the minimum of environmental disturbance'. There is no problem with that. Then there are other words about truck turnarounds which are not relevant to this debate. In the second paragraph, it says: 'Only the minimum number of trees should be removed. Trees on the shoulders and drains should remain where possible. Where possible, felled trees and overburden should be relocated to a storage area for rehabilitation of the old road'. From what I have heard this morning, a contract has now been let for the felled trees to be chopped up for firewood for the Mutitjulu Community. If that is the case, yet again, the ANPWS is in contravention of the environmental impact assessment. Their words, not mine.

Mr Speaker, I have made the point that it is true that, when development occurs, there will be disturbance. Trees will be knocked down but there should be balance. This environmental assessment report was intended to set the environmental rules for the construction of a road in a World Heritage national park. We agreed to the findings and the conditions which I have referred to. From what we hear, those rules have been broken. That is the essence of this debate, so let us get down to reality on some of these arguments.

In respect of the issue of access to the park and the limitation of visitor numbers, it is true that, if a park is not developed properly with

the appropriate infrastructure and if uncontrolled access is allowed in the park, damage can result from overuse. With proper facilities and proper management, it is possible to look after a park whilst increasing visitor usage. The issue of numbers is really interesting.

Mr Bailey: What is the waiting time to get into the Grand Canyon?

Mr HATTON: Yes, Mr Speaker, that is interesting. About 7 million people a year go through the Grand Canyon and about 5000 people visit Uluru National Park each day. There is a big difference. I might say that more than 600 000 people per year visit the Casuarina Coastal Reserve in the member for Wanguri's own electorate. That area is far more sensitive than the Uluru Katatjuta area, where people travel across a sealed road, climb a granite rock, and go to a specific area to take photographs. I do not know whether the rock will deteriorate as a result of people photographing it. When they have finished taking photographs of Uluru, people will drive along a sealed road to the Katatjuta area.

With proper facilities in place, I cannot see where the damage will occur. It may be that damage is being caused by uncontrolled 4-wheel-driving in the park or the cutting down of trees and facilities for artifacts. Perhaps that is a matter which should be addressed more closely. It has been of concern for some years, as the member for Koolpinyah will be well aware. Also, there is a problem with increasing habitation inside the park, with housing and tourist-related facilities contravening the original ANU report of 1973. I could continue. The reality is that this road development appears to be in breach of the ANPWS' own environmental impact assessment.

Secondly, the issue of control of the park in terms of visitor numbers seems to have little to do with protecting the environment. It is quite possible to develop infrastructure to cater to park usage levels, to minimise or eliminate damage and to increase dramatically the number of people who can visit the park. That can be done even by utilising controlled public transportation mechanisms, whether they be buses or other types of vehicle, to limit the number of private vehicles in the park whilst allowing for the movement of people. There are development options available to achieve that.

What really gets up the noses of people who live at Yulara - and I am pleased to hear that the member for MacDonnell supports this - is the fact that they have to pay to visit locations in the park. If you live at Yulara, you do not have many places to go and you should be able to go to the park without having to pay. Those people are part of the community in the area. They provide important facilities and services for people visiting the park and it is only fair that they should be able to visit it themselves. It is only 17 km down the road in a vast open area, and Yulara residents should be able to have access to it without having to fork out $5 or $10 every time they want to drive down the road.

Mr Perron: He just said that it was a problem. He did not say that he supported it.

Mr HATTON: I think it is a major problem. Every member of this House should stand up and oppose the imposition of the fee on Yulara residents, just as people have stood up on the question of Jabiru residents having to pay entry fees for admission to Kakadu. Now, they have free access. The question is why, after a big political fight, it is now all right for Jabiru residents to have free access to Kakadu whilst it is not all right for

people at Yulara to enjoy the same situation in relation to Uluru? Do we have to have the same political fight to get the same justice for Territorians at Yulara? That is the issue.

Then we come to the real issue of fairness. Daryl Tutty was the man who went into Kakadu in the pioneering stages. He is a local businessman who was born and raised in the Territory, in Darwin. He bought a boat and developed tourism in the Kakadu area over a long period. He takes people to Cooinda and they stay at the motels there. He has opened up the market and made those motels pay. He is there in the wet season and the dry season. He goes around the world marketing that facility, and then what happens? The Kakadu board turns around and says: 'Sorry, mate. We know you did a great job building tourism. You have promoted the park all over the world and you go around getting tour operators to include the park in their itineraries. You bring visitors to Cooinda and put them into our motel but, after 12 months, you will not be able to take them on cruises on Yellow Waters any more because we want Aborigines to do that'. I think that is unfair, and I think we should stand up against that sort of thing.

If we are going to talk about the fairer society which we have heard the Prime Minister speak about, let us make it fairer for everybody, including the guy who went out to Kakadu, took the risks up front, and created and developed the market. He should have the opportunity to benefit. There is not a word of complaint about the service he has provided out there. He is making money for the park. People pay their entry fees before they go on his tour. They stay in the Cooinda Motel. He is making money for the park and the traditional owners. But no, they say they want the lot. Well, the danger is that, in trying to go for the lot you can lose the lot too. People like Daryl Tutty have been promoting Kakadu. If they get thrown out on their ear on the basis of some greedy whim, others will not go in and expertise will be lost. The decision is unfair and stupid, and it should be changed. We should not be taking racist decisions with respect to concessions in parks and that is the bottom line.

Mr Bailey: Like goodwill payments on leases for small businessmen that your government will not protect.

Mr HATTON: If the honourable member wants to talk about small business, he will have plenty of opportunity to do so next week when I table a draft bill in this House and he sees what we are doing for small business.

Mr Bailey: About time.

Mr HATTON: I would like to know what the honourable member has ever done for small businesses except promote their destruction through his stupid trade unionism and social philosophies. The honourable member opposite has never got it right. Not once! I hope that he will do so at some stage. It will be a pleasant change. When he gets it right, however, he will end up having to compliment the government. That will go so much against his grain that he will not be able to do it.

Mr Speaker, I support the motion.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, in rising to support the motion, I have to say that it is rather unusual. It does not deal only with 1 or 2 items but with several. It is all rather embarrassing. The matters would have been better dealt with in more than 1 motion.

Mr Perron: We would have been here for 2 weeks if had dealt with them one by one.

Mrs PADGHAM-PURICH: What does it matter if we are here for 2 weeks? That is what we have been elected for.

Mr Speaker, whilst I have said that I support the motion, I do not necessarily agree with the wording of the introductory paragraph which begins: 'recognising the Territory government's genuine concern for responsible and appropriate protection of the environment, its long-standing commitment to sustainable economic development ...' and so on. I would take issue with that. I do not believe that the CLP government has had a long-standing commitment to sustainable economic development. Having said that, I have to say that it is doing things a little better now. It is addressing the issue of sustainable economic development and I will say that I am very pleased to see that the CLP is becoming a little greener. Everybody has to be green these days.

I agree with paragraph 1 of the motion, which condemns the ANPWS for its action in relation to the 150 desert oaks. Whilst the route planned by the ANPWS entailed the destruction of the trees, I believe that another route could have been found within the thousands of available acres, a route which would have left the trees intact.

The question of regrowth of desert oaks has been ignored. If 150 new desert oaks are planted, they will take many years to mature. I would have been much happier about the situation if the ANPWS had said: 'This is the only possible route for the road. It is really necessary to take out the 150 desert oaks. However, we will plant other trees or trees of the same species. In fact, we will do better than that. We will plant additional trees to take the place of the trees we have taken out'. We have not heard anything along those lines, which makes a complete nonsense of the federal Labor government's big showing about tree-planting and all the publicity it is giving to the greening of Australia. This action of the ANPWS has put the kybosh on that well and truly.

I agree too with paragraph 2 of the motion, which concerns the administration of Uluru National Park by the ANPWS. During my year as Minister for Conservation, I attended a meeting in Darwin which was attended by officers of authorities involved in conservation matters in other states. I spoke with many of them. They knew who I was, but usually I can talk to people on a level at which they do not come the raw prawn. I am old enough and wise and have enough nous to see through ...

Mr Collins: The vested interests.

Mrs PADGHAM-PURICH: I was going to say something which is not acceptable in here.

Mr Speaker, every one of those conservation officers from the states said that the Conservation Commission of the Northern Territory was out on its own in the way it ran its parks and reserves. That was the case then and it has been the case ever since. To argue that the ANPWS can do a better job is to do what gentlemen do in the wind. The ANPWS can never reach the same standard of management of parks and reserves as the Conservation Commission and I believe that it is detrimental to the development of the Northern Territory's parks and reserves to have the ANPWS continuing to manage Uluru National Park. I hope that, when there is a

change of federal government, this situation will be one of the first to be remedied.

Essentially, paragraph 3 says that, if the federal government is to continue to run Uluru National Park through the ANPWS, the least it can do is to provide adequately for tourists. Whether we like it or not, people want to see national parks, especially in the Northern Territory. We cannot stop them coming to see our national parks. I am not talking about overseas tourists in particular. I am talking about our local Australian people. Their taxes helped to create those parks and we cannot simply put fences around them and keep them as sacred reserves for the use of the environmental scientists employed by the ANPWS. They have to be open to the public. How we go about that is a matter which has to be considered.

With all the sophisticated park administration techniques which we have learnt from our years in the business in the Northern Territory and also from overseas, I believe that ways can be found to overcome the damage caused by extensive visitor use. I know that large numbers of tourists can do great damage to an area simply by walking through. This can cause a great deal of wear and tear to the environment. However, all of these factors can be overcome. We cannot keep the tourists out. Tourists from overseas are not taxpayers. Their taxes have not created our national parks. However, all governments, federal and state, are encouraging tourism. We want the tourists to come here. We want a tourism industry and, if we ask tourists to visit our areas, we have to accommodate them and ensure that attractions are accessible and open to them.

Paragraph 4 calls on the federal government to do something about the decision of the ANPWS to terminate the operations of the private entrepreneur who has successfully established a tourist boat operation on Yellow Waters Lagoon in Kakadu National Park. I do not know whether the decision has been made by the federal government itself, the ANPWS, or at the prompting of the NLC. I recall another case in which a tourist operation run by a husband and wife suddenly got the kybosh put on it by the NLC. Those people had established markets and put in a great deal of time, trouble and expense in the process. They were given a very short time in which to cease their operation and the same evidently applies to the gentleman who has the business which operates at Yellow Waters.

Whilst on the subject of Kakadu, a recent newspaper article referred to the infestation of salvinia, particularly in the Magela Creek area. I suppose my reaction is one of cynical humour when I realise that the ANPWS is only just waking up to the fact that salvinia is in the park's waterways. As everybody knows, my husband works for Pancontinental Mining, which has a mining lease at Ja Ja in the Kakadu area. I believe that personnel employed by Pancontinental brought the salvinia problem to the attention of the ANPWS many years ago. Now that the weed is creeping further into the waterways, the ANPWS is throwing its hands up in horror, putting the matter in the too-hard basket or walking away from it saying: 'We will fence everything off and no tourists can go in'.

Mr Ede: Go and shoot all the buffalo instead. That is what the ANPWS reckons.

Mrs PADGHAM-PURICH: Now that the honourable member mentions it, this is probably one of the results of getting rid of all the buffalo. If the buffalo had been left there, perhaps the salvinia could have been managed. However, the ANPWS wanted them all shot out. I am not familiar in great detail with the eating habits of buffalo but I know that, in one South

American country, salvinia is controlled through the introduction of the manatee, a form of freshwater dugong which finds salvinia a very agreeable and nutritious pasture. I know that it is rare for governments to engage in lateral thinking and perhaps it might not be practicable to import manatees into our national park, however, some work could be done on the possibility of harvesting salvinia for cattle feed. If only somebody would put some time and energy into the matter, I believe that this approach could meet with some success.

Salvinia is not the only noxious weed in Kakadu. When I was member for Tiwi, Kakadu was part of my electorate. In fact, the park area was a major source of weeds. Just about every noxious weed in the Top End was there. I have had a problem with noxious weeds on our place. For 15 years, we tried slashing and other mechanical means as well as seeing whether stock would eat them. Eventually, we came to the conclusion that it was necessary sometimes to use poisonous sprays. I did that last year with considerable success. I do not like using poisonous sprays any more than any other person but there comes a time when one has to.

I do not know whether the ANPWS had the funds or expertise to tackle the weed problem, or whether its officers were even worried about it. Even if the weeds in the area of the Arnhem Highway alone had been treated by chemical means, I am sure that pests like salvinia would not have reached the stage they have reached in the park. But you can bet your bottom dollar, Mr Speaker, that salvinia is not the only noxious weed in Kakadu National Park. In a few years from now, the place will be riddled with weeds and probably the ANPWS will throw up its hands in horror, which it seems to do all the time, and say: 'Oh, it is the tourists. We will have to fence off more of the park so that they cannot come here'.

I turn now to the subject of Yulara residents having to pay an entrance fee to visit locations within the Uluru National Park. I am very sympathetic to that concern but I believe that, if we recall the establishment of Yulara, it will be obvious that, at that time, the CLP government knew very well that Yulara would be in the unusual situation of being surrounded by the national park, and I believe more thought could have been given to the issue then. Everyone was very gung ho at that time and, if something seemed like a good idea, you did it. Yulara has turned out to be a success but perhaps more thought should have been given to its location in the initial planning stages. However, like the government, I strongly deprecate the fact that people from Yulara have to pay fees to enter Uluru National Park when they want to visit places of interest.

The CLP government says that the federal government should transfer the administration of Kakadu and Uluru National Parks to the Northern Territory. I could not agree more. I will not reiterate my remarks about the competence of the Conservation Commission but it would do a much better job than the ANPWS is doing now. If the federal government believes that the Northern Territory government will not do the right thing by the Aboriginal traditional owners, it has only to look at the management of the first park in the Territory with a majority of Aborigines on its board of management - Gurig National Park. There is a very friendly relationship which has worked extremely well. The park is run cooperatively by officers of the Conservation Commission and the traditional owners. The latter have the majority of members on the board. Thus, any decisions made are decisions which the traditional owners want. The same applies at the Nitmiluk National Park and at Kings Canyon. The Northern Territory government has put its money where its mouth is and has shown that it can

work alongside the Aboriginal traditional owners in the management of national parks.

Mr Speaker, I support paragraph 7, which requires that the text of this motion be sent immediately to the Prime Minister. We all know that there is to be a federal election and, of course, this motion could be considered to constitute electioneering by the CLP government. In this case, I do not really care whether it is electioneering or not. Our patience has run out with the way the federal government has treated us in respect of our parks. I do not think we can convey strongly enough how we feel about the federal government managing the parks which should be under the control of the Northern Territory government.

Mr PERRON (Chief Minister): Mr Deputy Speaker, it is disappointing to see the lack of interest in the debate on this subject demonstrated by both the media and the opposition. I might be jumping the gun a little in relation to the media, but I do not think so. The debate is not over and no doubt we will see through tonight's media broadcasts whether or not anyone has taken any interest in it.

However, the issues that we are discussing at the moment are very important. We are talking about the environmental responsibility of a federal government authority. We are talking about the implications for the Northern Territory of limiting the number of people visiting Ayers Rock. We are talking about the insensitivity and injustice of terminating a licence to operate in a national park. We are talking about the right of hundreds of Territorians, our constituents in a remote area of the Territory, to enter a nearby national park without having to pay a fee. But really, we are talking about accountability - accountability to the taxpayer for the actions of a particular authority.

What I find particularly disappointing is that I could go out on the footpath now and bite the head off a live frog and I would find myself on the front page of the newspaper. I am sure that honourable members would agree that that would get me on the front page of the paper tonight. If I gave them a little forewarning, the television cameras would be lined up to watch the blood dribbling down the sides of my mouth as I bit the head off this live frog. That would be news today. The subject which we are talking about today is what should be news today. Let us hope that I am proved wrong.

The first item in the motion relates to the desert oaks. By anyone's judgment, that has to be an absolute scandal. Those members who listened to the Minister for Transport and Works would admit that the entire saga is a scandal: phantom roads, no environmental impact statement, and the bulldozing of desert oaks which were hundreds of years old. That is an absolute scandal, particularly in this day and age of our new-found concern for trees, the environment and the ozone layer. In a World Heritage national park, the federal government ought to be supersensitive! That is merely one item in the motion before the House. The fact that there is a raft of them should make this subject of even more interest to the media.

The second item relates to the possibility of limitations being placed on the number of visitors to Ayers Rock. If Australia were like the United States and had a population of 250 million people, all of whom could leap into their motor cars and, within a couple of days, be at Ayers Rock in such numbers as to be a potentially devastating force, I would concede that perhaps it would be time to undertake a study to work out how to handle carefully the number of visitors to Ayers Rock. However, we do not have

250 million people. We do not have 7 million people a year lined up at the gates of the park, no doubt causing a deep furrow to be worn in Ayers Rock, over time as their 14 million feet tramp up and down it. We are not in that position. We should be encouraging as many people as possible to visit Ayers Rock in the interests of Australia and our balance of payments and in the interests of the Northern Territory economy and the creation of jobs. We should be encouraging them as hard as we can go.

As you know, Mr Deputy Speaker, a great many photographs will need to be taken of Ayers Rock before it wears out. You can drive around Ayers Rock many times before you will cause it any damage. Of course, Uluru National Park is managed stringently. People cannot go tramping through the scrub to their hearts' content and they cannot light fires or pull leaves off trees. It is already a strictly controlled park.

To suggest limiting the number of visitors to Ayers Rock at this stage is a reason for grave concern. The Northern Territory has fostered the development of a $200m investment there with the encouragement of the federal government which wanted to move, as we did, all those unsightly and unsatisfactory accommodation units which were located near the Rock many years ago. We were encouraged to build Yulara in order to accommodate large numbers of people. It is an investment that is costing considerable money to support. All honourable members are aware of that. The number of people visiting Ayers Rock has a direct effect on us financially. We should be encouraging visitors as much as possible.

The fourth item relates to an arbitrary action taken recently to advise a tour operator in the Top End that his tour boat operation on Yellow Waters will be terminated in about 14 months time. He is a gentleman who went out there, saw an opportunity, inquired about the rules of the game and put a boat on Yellow Waters completely legally. He obtained all the licences required and agreed to pay the charges per head etc. It is quite a large operation involving coaches. He has operations on Melville or Bathurst Islands also, with a heavy Aboriginal involvement. Clearly, the man has seen tourist opportunities elsewhere on Aboriginal land which would benefit Aboriginals and his own company. He is running a fine service. I believe the boat at Yellow Waters cost about $70 000 to set up. Now that he has built up the custom, he has been told that his licence will be taken from him. It is not that he has upset anybody. There is no file of complaints from cranky customers saying that his guides are rude or that he overcharges outrageously. We do not hear any reports that the ANPWS rangers are concerned that his people are acting irresponsibly on Yellow Waters, that they are making noise, disturbing the animals or throwing litter over the side of the boats.

All indications are that he is running a fine show. He has invested a great deal in the operation. We should have had here for tabling today the tour brochures which are sent to Europe and elsewhere. These must have cost a considerable amount of money. As we all know, tourist agencies promote tours 2 and 3 years ahead. The operator has not been told that he will receive any compensation. He has merely been given what the ANPWS considers fair warning that, after 1 May 1991, his licence will cease because the people who run Cooinda will take it over themselves. Yellow Waters will be their exclusive domain as far as water tours are concerned. I think it stinks.

We have a raft of items in this motion, each of which is very significant. Item 5 relates to the recent rejection by the ANPWS of an application on behalf of all of the residents of Yulara. The application is

for those people to be able to enter the national park without paying the $5 fee at the gate. Apparently, this argument was run successfully at Jabiru. The residents of Jabiru, who are somewhat remote from the larger centres in the Territory, undertake many of their recreational activities in the national park. It just makes so much sense. If they want to go into the national park each weekend, because they live there throughout the year, why should they pay the fee which is normally required from visitors? In the case of the people at Jabiru, the ANPWS accepted the argument, and those people do not have to pay the fee, but the ANPWS knocked us back in respect of the people at Yulara.

It is just incomprehensible because all the people who live at Yulara, and I mean all of them, are there really for the national park. They are selling the national park. They should have a comprehensive knowledge of the national park, because many of them interact with customers, and I am not just talking about the guides and the hotel staff who serve customers. Virtually all the staff at Yulara meet and mingle with the tourists in the tavern, the supermarket and elsewhere. It is that sort of town. It is in our interests for all those residents to be very familiar with the national park and able to speak about it in great detail. In other words, they should be able to go there frequently. Also, in order to enjoy a change in the visual environment in that part of central Australia, the only places to go are Ayers Rock or the Olgas. But no, the ANPWS has said that it has decided that that is not on.

Well, I think that stinks too, and I was very disappointed by the attitude of the local member, the member for MacDonnell. Basically, he said that there is a problem and that he wanted to place his concern on record. The problem, of course, is that the Aboriginals made the decision and encouraged the imposition of the fees. Of course, they receive a portion of the money collected from those fees, and their attitude is understandable. The dilemma faced by the local member is that the local residents are saying that this should not be on. They feel that they ought to be able to enter the national park without having to pay a fee. The best that the member for MacDonnell could say was that he recognised it as a concern and a problem. Then he turned around and blamed the Northern Territory government for the whole problem because we do not talk to the ANPWS in as friendly a manner as we should. Therefore, it is all our problem.

Mr Manzie: He is on the board.

Mr PERRON: No. He was.

I think it is just amazing that he did not have the courage to take a stand on the issue one way or the other, and say either that the residents should be allowed into the park without a fee or that they should have to pay full tote odds or, perhaps, half the standard amount. He should not get up to speak in a debate like this without expressing an opinion on the matter. In my view, that is a luxury which he cannot afford.

The crux of the whole issue really is paragraph 6 of the motion before the House, and that is the question of transferring responsibility for the parks to the Territory government. The entire question before us, divided into half a dozen sections, is about accountability. The way the ANPWS is operating in this regard is a classic example of Commonwealth administration of the Territory prior to self-government. It is a classic example of the sorts of things that led to the push for self-government. In 1978, when we achieved self-government, we pushed hard for the ANPWS parks to be transferred to the Territory. This is not something new. We have not

decided suddenly that we have a conscience and want to take over the parks. We have always argued that they should be under our control. I acknowledge that it was a Coalition government which did not hand them over at the time of self-government, and I condemn it for that. I condemned it then and I do so again today. It is crazy that we were trusted with 15 000 public servants, a budget of $1500m a year, and 700 police, but that we could not be trusted with 30-odd rangers and a couple of national parks.

The Northern Territory Reserves Board used to run the park at Yulara prior to the ANPWS ever coming into existence. Whilst honourable members may not remember it, in 1988, the Commonwealth Minister for the Environment, Senator Richardson, established a review of the Australian National Parks and Wildlife Service. The closing date for submissions was 20 October 1988 and, indeed, the Territory government made a comprehensive submission to it. There were press advertisements about the review, which was carried out by Mr Bruce MacDonald, a former Secretary of the Department of Sport, Recreation and Tourism. Its purpose was to examine the role of the ANPWS, draw conclusions and make recommendations for the consideration of the minister. In other words, it was not an open inquiry. At that stage, there was no indication that the recommendations were to be tabled in parliament or anything, and indeed they have not been.

Correspondence from Mr Richardson states that the first significant review since the ANPWS was established in 1975 was expected to be completed in November 1988. Well, we do not know whether it was completed or not. How is that for open government? We presume that it was completed, possibly well over a year ago. It is interesting to note that, whatever the report says, it has been kept pretty close to the chest. That gives rise to the suspicion that, perhaps, the Senator does not want anyone to know what the report may contain.

Honourable members may be interested to hear the wording of one of the report's terms of reference, because it indicates that the contents of the report may be of great interest to us all. The term of reference was: to identify any duplication between the ANPWS and other Commonwealth, state and territorial organisations and the potential for minimising such duplication. Personally, I would be most interested to know what Mr McDonald's views were on that subject. In the Northern Territory, a federal authority runs national parks. It does not happen anywhere else in Australia, not even in the ACT, and it happens in spite of the fact that we have a Conservation Commission running 40-odd parks in the Northern Territory and running them very well. If there is not duplication here, I do not know where it would be.

Mr Deputy Speaker, I understand that the shadow minister for tourism is the Leader of the Opposition. I am very disappointed that, so far, he has not seen fit to contribute to this debate. If ever there was a debate that the Minister for Tourism and his shadow ought to participate in, it is this one. But no, he does not seem to have any interest in it. His heart does not seem to be in the job at all.

I have a comment for the member for Wanguri and perhaps it is not surprising, given that he is fairly green in this Assembly. I would like to suggest to him that he be very honest with himself. Obviously, he wants to be seen as a man of great environmental concern. He seeks at every opportunity to take up causes which will give him publicity in his electorate. But I ask him, in being honest with himself, to take on environmental issues fairly, not in a selective and one-eyed manner. Today, by seeking to talk about Frog Hollow and the like, he tried at every

opportunity to avoid debating the substance of this motion. If ever there was an opportunity for the honourable member to get stuck into an issue and to gain a few points for himself by kicking the federal government and the ANPWS, this was it. He would do well to take a lesson from some of the great politicians we have had, such as Everingham. Even if they are on your side of politics, bite the ankles of the guys down in Canberra if they are doing the wrong thing. As far as this motion is concerned, the member for Wanguri should have addressed the issue of the desert oaks.

Mr Deputy Speaker, I support the motion.

Mr REED (Primary Industry and Fisheries): Mr Speaker, my contribution to this debate will be fairly brief, but I do want to put a couple of points on record, principally because I have been sickened by the contributions put forward by members opposite and, in particular, by the shadow spokesman for conservation. My mind goes back to November last year when the member for Wanguri was kicking up an enormous fuss about 2 or 3 palm trees in an area near the law courts, an area which was not even gazetted as a park. The honourable member saw fit to wax lyrical about his concern that some trees were being removed. I use the word 'removed' deliberately. The trees were not being lopped. They were being transplanted to another place to make way for 6 parking spaces.

As I say, the area was not a gazetted park. Nonetheless, the honourable member expressed great concern about the issue. He did so very emotionally and with a great deal of untruth. He said at that time, on the ABC news of 15 November, that he thought it was ridiculous that, at a time when everyone was trying to protect green areas, the government was removing these trees. That is what he said, notwithstanding the fact that the subcontractor responsible for the work said that the palms would be transplanted and despite the fact that the Planning Authority had indicated that the area was a special purpose zone, never certified as a park. The member for Wanguri said: 'We will keep fighting until the government hopefully sees the light and stops this project'.

What a contrast we have seen today. The member for Wanguri has not seen fit to stand up and fight for the destruction of an extensive area within a World Heritage park. Mr Speaker if you cast your mind back a few years, this federal government, the Hawke Labor government, sent RAAF aircraft to spy on a state of this nation in relation to an area which was being considered for World Heritage status. Yet here we have a shadow spokesman who, but for the grace of God, could be the Minister for Conservation. If this episode is a demonstration of his attitude, God help us if he ever does become minister. The member for Wanguri spoke about the concept of transplanting desert oak trees which are perhaps 100 or more years old. Yet, last November, he would not support the transplanting of 2 or 3 palm trees which, in a matter of less than 5 years, are mature and seeding. Those are very strange priorities for a shadow spokesman for conservation.

The high-handed attitude of the federal government in this matter is absolutely deplorable. For members opposite, particularly the member for Stuart in whose electorate this park is ...

Mr Ede: It is in MacDonnell. My electorate is not that big yet.

Mr REED: It is an absolute disgrace that members opposite are not supporting the government on this issue. I wonder what the member for Wanguri's constituents will think of him when they learn of his contribution to this debate.

The length of the alignment is 4 km, not the 18 km which has been referred to. The member for Wanguri has little idea of the extent of the problem and the number of trees which have been removed. In this debate, he has also displayed his lack of concern. For the member for Wanguri to be so hypocritical as to stand up here today, following his actions in November of last year in relation to ...

Mr BELL: A point of order, Mr Speaker! I ask the honourable minister to withdraw the word 'hypocritical' in respect of my colleague.

Mr REED: I am happy to withdraw the comment, Mr Speaker. However, he has displayed a double standard to say the least. In Darwin, the member for Wanguri can stand up in front of a television camera to whinge about a couple of palm trees in an urban area which is not even gazetted as a park. However, he refuses today to support a motion condemning the destruction of hundred-year-old trees in a World Heritage park. That is an absolute disgrace and he should be ashamed of himself. These actions will be recognised for the opportunism they involve. Next time he complains about a few palm trees in Darwin, there is no doubt that the people of the Northern Territory will see through the charade. The currency of the opposition spokesman on the environment will be completely devalued after his performance today.

Mr EDE (Stuart): Mr Speaker, according to my calculations, we have now spent 1 member hour per tree.

Mr Collins: They were worth every bit of it.

Mr EDE: Were they? The amount of paper which has been used to write down all the stories being told about these trees is probably getting close to the amount which could be manufactured from those which were felled. The number of 3 or 4 trees per kilometre which were knocked down along the Olgas road would compare rather favourably with the number knocked down along a road which the minister's department has just constructed at Mataranka. Hopefully, he will be able to tell us about ...

Mr VALE: A point of order, Mr Speaker! I thought honourable members were required to address their remarks through the Chair, not with their backs to the Chair. The honourable member is facing the public gallery.

Mr SPEAKER: There is no point of order.

Mr EDE: That is where the minister is.

Mr Speaker, no doubt the honourable minister will be able to tell us about the environmental impact statement which he carried out in relation to the road between Mataranka and Elsey Falls and how it managed to avoid all the trees. As I understand it, there was a 4-wheel-drive track which followed the river, and people wanted that upgraded slightly. They decided that, for environmental purposes, it should be moved a little further away from the water. All they wanted, however, was a slightly upgraded track. Of course, that was not good enough for the honourable minister, who put through something which was over 100 m wide and, as one of my colleagues said, fit to land a jumbo jet on. Rather than 3 or 4 trees per kilometre, it required the removal of 3 or 4 trees per metre. In the process of constructing that road, the minister was responsible also for the destruction of more varieties of trees than the new Olgas road came within cooee of destroying.

Mr Speaker, I must admit that this turns my stomach a bit. We have heard members opposite screaming for ages about the need to bituminise the Olgas road. However, the Minister for Transport and Works has decided now to jump on the greenie bandwagon. He is not a greenie environmentalist. He is one of those picture-book greenies who wants everything to be pretty-pretty. That is why he argues that mulga is hopeless stuff which should have been destroyed in preference to the desert oaks. He said that the ANPWS decided on the final route in order to avoid destroying mulga. In environmental terms, it is quite probable that the mulga is far more significant in that area. Mulga is not common there. However, as honourable members would know, it is a host species which protects many varieties of animals, native grasses and so forth. However, because mulga is not comprised of pretty-pretty trees like desert oaks, the honourable minister says that it should be bulldozed rather than desert oaks, of which there are approximately 150 million in that area.

Mr Speaker, I cannot understand where the honourable minister is going with this pretty-pretty environmental philosophy. Does he intend to tell us that there can be no access to a quarry because a pretty tree is in the way rather than a scrubby piece of mulga? Will he make a fuss if we try to put through a fence line which will result in the destruction of a few trees? Of course, it is not the trees as such which are the environmental issue. The whole point is to ensure that there are different varieties of trees and animals in an area.

There is another environmental point which the Minister for Conservation did not raise. One of the problems in the rangelands of central Australia now is that there is too much scrub. In fact, there is more scrub there now than there was when grazing began. That is because, for a long time, there were no burning practices. This led to a build-up of scrub, an increase in woody weeds and a reduction in the variety of native grasses and good grasses for cattle throughout the area. Variety is what is needed - variety of plant species, of bush foods, of native grasses and of trees. If, in the process, that means that it is better to knock down a couple of trees in order to preserve another species which provides that variety ...

A member interjecting.

Mr EDE: Well, that was the reasoning, according to the minister, and I can only take it that he is more of an expert in this matter than I am myself. However, when I remember what happened at Mataranka, I am not so sure about his expertise. In general, though, I would say that it is probable that it became necessary to sacrifice a few desert oaks in order to maintain the variety of grasses and bush species in the area.

Mr Vale: A few desert oaks.

Mr EDE: If the members opposite want to be seriously green, they should do some work on it. It is no good just focusing on pretty-pretty things. Just because something is pretty, that does not necessarily mean that it should be preserved at the expense of something which may not look as pretty. That is exactly what the Minister for Transport and Works is saying. He is saying that, because the desert oaks were 200 years old and were very big trees, they should have been preserved in preference to other species which are less prolific in a given area. The honourable minister has it wrong again. His own department had it right. It said, in its own publication, that the project was excellent. The minister said this morning that he did not know about his department's in-house magazine. That

magazine said that the project was great, and it made that assessment totally on environmental grounds.

Mr Manzie: That was last year right before they bulldozed it!

Members interjecting.

Mr SPEAKER: Order!

Mr EDE: Mr Speaker, the minister's department thought the project was great but, unfortunately, he has made an error. He has embarrassed his department with his comments today, and I hope that it does not have to put up with him for much longer.

Mr COLLINS (Sadadeen): Mr Deputy Speaker, I recall that, during the November sittings last year, the Minister for Conservation presented some photographs of desert oaks which had been knocked over in the Yulara area. That seemed to cause considerable amusement on the part of the member for MacDonnell. I recall very clearly that he said: 'I'll have fun with these'. The incident involved 3 large trees and quite a number of smaller ones which, if undisturbed, would have had a chance to become big trees in due course. I am always interested in replacing younger trees for old trees because the old ones will die eventually. I would have thought that that would have been enough warning for the member for MacDonnell, who has quite a bit of influence with the Australian National Parks and Wildlife Service and quite a few contacts within it. I would have thought that he would say: 'That is not the right thing to do. You will get some stick over this. Lift your game'. However, earlier this year, 150 trees were destroyed.

To people who do not know the desert oaks and are not aware of the scarcity of the trees in the region, 150 trees may appear to be very few. However, there is a principle involved here. It can be compared with policemen who are supposed to protect us from the drug trade becoming involved in the drug trade and benefiting themselves. The people who are paid to protect the environment are condoning this. There are very few desert oaks. The member for Stuart's argument about the minister knocking over hundreds of trees in order to put in a road at Mataranka does not really stack up when one considers the number of trees there. There is no shortage of them. On the other hand, the desert oak is indeed in short supply. It is a beautiful tree.

I noted the minister's comments about the mulga. Desert oaks are often 100 m apart, and they were bulldozed. Occasionally, they form clumps here and there. They could have been avoided as well as the mulga. There is very little mulga there and it is an important habitat which should be preserved. As the minister said, there were plenty of ways and means of avoiding the mulga.

I will also remind the Assembly of something which the member for MacDonnell said years ago in this House concerning Spencer and Gillen and attitudes which he learnt from reading their books about Aboriginals. Virtually any animate object is of sacred significance to Aboriginal people. I would be most surprised, in my heart of hearts, if the Aboriginal people were not rather disappointed that these grand old trees, which would be significant in their life, have been destroyed.

Mr Bell interjecting.

Mr COLLINS: The member says that he has already said that.

Mr Bell: No, I said that I do not believe I said that.

Mr COLLINS: I suggest you look back at your own ...

Mr Bell: Not every animate thing.

Mr COLLINS: Mr Deputy Speaker, I would suggest that the member for MacDonnell look at the Hansard record and what he said in those days.

These trees were bulldozed without any thought being given to the Aboriginal people. Really, it boils down to a matter of principle. If you are fair dinkum about conservation, you have to be fair dinkum all of the time. Someone like the Prime Minister ought to be giving a darn good rocket to the people who perpetrated this action in a national park. I hope that he might be doing that, at least behind the scenes. Otherwise, his claims about having the best conservation policies in the world come to nought. He would gain much more credibility if he did it in public.

That is only the first of the items in this motion and I think that the others have been canvassed pretty well. I am certainly astounded at the gall of the ANPWS in telling the operator at Yellow Waters that he has only another 14 months before he has to cease his operations. That smacks of un-Australian behaviour as far as I am concerned. As far as getting the Australian National Parks and Wildlife Service out of the parks in the Territory goes, 24 March will come around pretty quickly. That will be the opportunity for Territorians to play a small part in doing what is necessary in relation to that and many other things for the good of this country.

Mr POOLE (Araluen): Mr Deputy Speaker, I rise to speak in support of this motion. I want to talk about a couple of points only in the motion because other members have covered other aspects quite well. I want to comment on paragraph 3: '... responsible environmental management at Uluru National Park requires adequate provision of appropriate facilities and infrastructure to enable increasing visitor demands to be accommodated without prejudice to environmental protection'.

It is almost humorous that we are debating today the possibility of limiting the number of visitors to Uluru National Park. This matter was raised some 3 or 4 years ago, when I first came into this Chamber. The federal government and the ANPWS gave all kinds of assurances that there was no intention of limiting numbers to the park. Over the years, that proposition has been sold to Territorians in very subtle ways. It is quite hypocritical that, after years of fighting, when we have finally reached agreement that a sealed road between the Olgas and Ayers Rock will be built and jointly funded by the Northern Territory government and the federal government, we suddenly start talking about limiting numbers. I always thought that the object of the exercise was, firstly, to avoid any further environmental damage to the area between Ayers Rock and the Olgas and to provide safe conditions for the people of Docker River and other communities who use that road to come in from the desert area and, secondly, to spread some of the load on the park. Given the number of day tours to Uluru National Park, we could quite easily assist tour operators to split their tours and have half the people visiting Ayers Rock in the morning and the Olgas in the afternoon and vice versa for the other half. If that were done, it would obviate any necessity to be talking about limiting numbers in the short term, particularly with the new sealed road to the Olgas.

Secondly, I want to say a few words about the decision - and it amazes me that the opposition does not really want to talk about it - by the ANPWS to terminate the future boat cruise operations of Australian Kakadu Tours at Cooinda. It is really remarkable because the Tutty family has probably brought more people into Kakadu National Park, and particularly to the Cooinda/Yellow Waters area, than has any other tour operator. In the late 1970s and the early 1980s, Daryl Tutty was a lone voice among operators in the Northern Territory. He went out into the marketplace at great expense and really pushed his very small tour bus operation which centred particularly on the availability of cruises at Yellow Waters.

This small business man in the Northern Territory actively promoted the Gagudju people's involvement with the hotel operation at Cooinda. He got them off to a flying start in the tourist industry as a result of his tramping around Europe and North America. I believe I would be correct in saying that Daryl Tutty was the first person to take 30 or 40 international operators on Yellow Waters cruises in Kakadu, and he did so at his own expense. Today, we have been told that, within 14 or 15 months, he will not be wanted any longer. This operator has just suffered a terrible season as a result of the airline pilots' dispute. He employs a number of local Territorians and is one of the few operators who set an example for the industry throughout Australia by employing Aboriginal people in his operation. Suddenly, everybody decides that he is no longer wanted at Yellow Waters. I think it is disgraceful.

Another matter that I would like to comment on is the requirement that residents of Yulara must pay fees to enter the Uluru National Park. It is just quite incredible. It is probably the worst example of apartheid that is available in the Northern Territory. Imagine the outcry if we turned around and said that residents of the Mutitjulu community must pay an entrance fee to visit Yulara. How ludicrous that would be. It is all right, however, for it to be done in reverse. Many of the good people who live and work at Yulara have wives and children. They should not have to pay to go into a national park recreational area which should be available to all Australians, and there is no way that they should be forced to pay an entrance fee.

Mr Collins: More than once.

Mr POOLE: I am sure that they would accept making a one-off payment which would give them full-time access for the time they were residents of Yulara. I think that the present situation is absolutely disgraceful, and I urge the member for MacDonnell to use his good offices to sit down with the Mutitjulu community and the ANPWS and try to resolve this situation, and see whether he can arrange something to assist the residents of Yulara to obtain free entry to the national park.

Mr Deputy Speaker, really this entire motion is a litany of examples of mismanagement by the ANPWS. In the management of the Kakadu and Uluru National Parks, scant regard has been shown for Territorians. These 2 assets of the Northern Territory should be run by Territorians and not by a federal government service. I sincerely support the motion.

Mr LEO (Nhulunbuy): Mr Deputy Speaker, the hour is late and I shall be brief. The honourable minister virtually gave notice of this motion some weeks ago in the NT News, when he said that the matter of the desert oaks would be pursued to the utmost in his attempt to promote a cause which the CLP candidate in the forthcoming federal election could at least hang her hat on. The CLP certainly does not have any other issues.

This motion is not about desert oaks. It is not about protection of the environment. The minister's activities over a considerable period of time belie any credibility he may have had in that arena. This is nothing more than a stunt to try to give the poor beleaguered candidate for the CLP in the forthcoming House of Representatives election an issue to hang her hat on. The only advice I can give to the CLP is that, if they are going to get a stalking horse for Helen Galton, they should get a decent one. Poor old Fred really could not prop a mule. This is a most puerile and ridiculous attempt to beat up a federal issue in the run-up to a federal election. The motion does not even bear talking about simply because of the person who put it and his reasons for putting it.

Mr FINCH (Transport and Works): Mr Deputy Speaker, I thank honourable members for their contribution on this extreme occasion today including, of course, the member for Nhulunbuy. The contributions from the members opposite have been of great value, because they have displayed the opposition's absolute contempt for legitimate concerns over the totally inexcusable and unnecessary destruction of these desert oaks. They have treated the matter flippantly and lightly, and the contribution of the member for Nhulunbuy was an absolute classic. I guess he is not too worried. He is off to Queensland and his concern is only short-term. But his potential successor in his electorate will be most interested when the electorate of Nhulunbuy is circulated with the flippant off-hand comments made by the honourable member.

I suppose it can be said that, in the end, this will be the issue of rats, rabbits and firewood, but the core of it is not about political grandstanding, not at all. As I explained in my introductory comments, it was by chance that we were in the area of the Olgas and Ayers Rock at the time that we were, with the federal shadow minister for transport and 2 representatives of the media. Really, we were there to pursue some matters in relation to what will be the central issue of this election campaign - road funding. The member for Nhulunbuy claimed just now that our federal candidate will not have an issue to run on in this election, but when one considers the track record of the current federal member and the misinformation which he has spread on that issue alone, it is clear that she will be streets in front.

Whilst road funding in the Territory has not been the subject of the political hype which has occurred interstate, members opposite had better believe that it will be the issue of the campaign. Amongst all other issues, I think that it is probably the issue which will lead to a Coalition government being returned. This will become clear when we hear what the federal shadow minister for transport will deliver in relation to road funding for Australia and particularly for Helen Galton, the CLP candidate in the Territory, in order to provide some redress and bring us back to where we ought to be. On highway funding alone, there has been a reduction of almost 50% since Bob Collins and Warren Snowdon came on the scene.

There is no doubt that the trip to the Olgas and Uluru was worth while in terms of its original purpose but, while we were there, I can assure honourable members that I was genuinely distressed to see the absolutely nonsensical and non-essential destruction of those desert oaks. In this debate, attempts have been made to put into my mouth the words: 'I would knock over the mulga scrub instead'. Of course, that is nonsense. I did not say that and I did not advocate it. As I said, there were at least 50 routes available for that road.

An interesting aspect of the contributions of all members opposite was that they condoned unequivocally the unnecessary destruction of those trees. That was quite clear. Secondly, they condoned the breaching of the environmental impact assessment carried out by the ANPWS itself. Regardless of whether one has sympathy for the trees or not, their destruction was quite contrary to the conditions laid down in the environmental assessment report, a report adopted by the minister, Senator Richardson. We have not heard a peep out of him and that is no wonder. He is not game to say anything. I do not understand why he has not been pressed by the media. He might have been, I guess, if that valuable footage, paid for by the taxpayer, had been shown nationally instead of as a 2-second clip here in the Territory - a mysteriously limited showing. If the ABC does not want to use the footage, and clearly it does not because it is now several weeks old, why does it not release it to networks which will use it? I can assure members opposite that, whilst this whole matter came to light by accident, it is and should be a matter of great national concern.

It was also interesting to hear the comments of the shadow spokesman for conservation, the member for Wanguri, who was a great saviour of the gmelina trees on the Legislative Assembly site and of some diseased gum trees on McMillans Road which are to be replaced tenfold by similar gum trees which will be fully grown within a couple of years. He is going to chain himself to the palm trees which are to be relocated in front of the Supreme Court building. Goodness gracious me!

Mr Hatton: Is he going to stand in front of a bulldozer in Frog Hollow when a bulldozer goes up the road?

Mr FINCH: Yes. I am not sure whether he will chain himself to a tree in Frog Hollow. In fact, I am sure he realises that, if he chains himself to one of the trees in Frog Hollow, he will be safe because not only will the dozers be decades away, but they will not be on that alignment anyway. He knows when he is on safe ground, but his contribution to today's debate was the most appalling and abysmal I have heard from a spokesman on any issue. The only thing green about the member for Wanguri is the matter between his ears. I would say that, without any doubt at all, he has double standards. He cries and bleats over gmelina trees, all of which had been planted by man during the last 10 years and can easily be replaced. Gmelina trees! How did he refer to them? As grand old trees!

Let us get our priorities in order. I have heard clearly from the members opposite and from the federal member that they support this desecration. They support the contravening of the environmental impact assessment. Mr Deputy Speaker, the whole matter leaves me absolutely confounded. Perhaps the member for MacDonnell can enlighten me here, with his interest in central Australia. Probably, he watches much more of Imparja Television than I do myself, but I am not sure whether the tree that is used by the Aboriginal television network, Imparja, is not in fact a desert oak.

Mr Vale: No, it is a gum.

Mr FINCH: That is a pity. I thought perhaps we had another matter of significance there. However, all other matters aside, there is no doubt that the irresponsibility displayed by the ANPWS, not just in Uluru but in Kakadu also, is something that will be questioned by the general community, as will the federal minister's lack of control of his own department and his failure to lay down appropriate guidelines.

I am keen now to hear what conservation groups around Australia have to say for themselves. During the last few days, the Australian Conservation Foundation and the Wilderness Society have declared publicly that they will not make a decision on which party they will give their political support to until they hear all of the competing policy statements. I will ensure that this matter is put into perspective for them directly, so that they have an opportunity to come clean and make their decision to put their political support in the forthcoming election where it ought to be, and that is with the deliverers of conservation policies, the conservative forces in Australia, who have lived with a properly balanced attitude on conservation, and not the Johnny-come-lately mickey-mouse 'call me green if you will' attitude which prevails among members opposite.

I thank honourable members for their contributions to this debate, and I look forward to seeing some realisation within Australia of the significance of this issue.

Motion agreed to.

FINANCIAL ADMINISTRATION AND AUDIT AMENDMENT BILL
(Serial 256)

Bill presented and read a first time.

Mr PERRON (Chief Minister): Mr Speaker, I move that the bill be now read a second time.

The Financial Administration and Audit Amendment Bill addresses a number of administrative housekeeping matters which do not have an impact on government policy. Nevertheless, by addressing these administrative matters, we will be able to streamline existing procedures and improve operational efficiency.

I will now, Mr Speaker, briefly describe each of the amendments. Firstly, the name of a trust account will be able to be varied without the necessity of closing and opening accounts and transferring the balance between them. Secondly, the issue of a standing Treasurer's warrant to each accountable officer will authorise, as a matter of course, commitment for expenditure from the Consolidated Fund, up to the level of appropriation at subdivision level. Thirdly, nominated trust accounts will be allowed to show a temporary debit balance provided that the total trust fund remains in credit. This will enable the government to avoid unnecessary debt servicing costs and will result in real savings to government. Fourthly, all unclaimed moneys will be paid into the Consolidated Fund. This will simplify the reporting of these moneys and provide for an improved audit trail. Fifthly, the Treasurer will have the option of deferring a debt for a specified period, thereby assisting in maximising recovery of outstanding Territory moneys.

Mr Speaker, I commend the bill to honourable members.

Debate adjourned.

GRAIN MARKETING AMENDMENT BILL
(Serial 257)

Bill presented and read a first time.

Mr REED (Primary Industry and Fisheries): Mr Speaker, I move that the bill be now read a second time.

This bill is for an act to amend the Grain Marketing Act which came into effect in 1986. This act was established to take over the function of marketing of grain produced in the Northern Territory from the Agricultural Development and Marketing Authority. That authority, prior to the commencement of the Grain Marketing Board, had responsibilities which included the handling and marketing of grain and the operation of grain pools. For the phasing in of the new Grain Marketing Board which commenced its operation in the 1987-88 growing season, it was appropriate to maintain common members between the ADMA and the new board. Accordingly, the Chairman and 2 members of ADMA were prescribed under the Grain Marketing Board Act as ex-officio members and 3 elected grower members were provided for. The Agricultural Development and Marketing Act has a sunset clause of 30 June 1990. Accordingly, it is now desirable to have the Grain Marketing Board membership severed from that authority and established under the Grain Marketing Act.

This amendment is not proposed to change the composition of the Grain Marketing Board but, rather, to ensure the independent continuation of the board and its activities. It is proposed that its membership would continue to be comprised of a chairman, 2 appointed members and 3 elected grower members. In providing for this independent appointment of members to the GMB, it is necessary of course to provide appropriate arrangements for the terms of appointment and remuneration. In this respect, the government's practices for statutory authorities have been followed and there are no peculiarities or differences for the appointment of the chairman and members.

Whilst making these amendments to the Grain Marketing Act, the board has recommended to me that the term of elected grower members be increased. Currently, it is necessary to conduct an election in each calendar year for the grower members. The Chief Electoral Officer has just completed the process for the third such election. This is proving to be a cumbersome and time-consuming process and one which requires the farming community to be involved annually. There is also the potential difficulty of a lack of continuity of farmer members although, in reality, this has not been a problem to date. Accordingly, I am proposing in this bill to amend the term of elected members to 2 years, requiring a biennial election. The Grain Marketing Board had suggested to me that a 3-year term might be considered but, at this stage in the development of the grain industry, there is some fluctuation in the participants in the industry, and I am of the view that a 2-year term would be more appropriate. The bill extends this 2-year term for grower members to those elected in the 1989 election.

I have proposed also a minor amendment to section 35 of the act which relates to the power of the board to require growers and grain handlers to furnish returns. Under the current provisions, the returns relate to the quantity of a commodity grown or held at any time, as is required by a notice from the board. To improve the planning ability of the board and the flow of information to those farmers and users of grain, I am proposing to extend this power to seeking information on what farmers propose to plant in

a coming season. This will enable the board to give production and market forecasts which are as accurate as possible based on growers' intentions. Current grain industry assistance schemes are based on the Grain Marketing Board making pre-season announcements in respect of end-user requirements which, of course, must be matched to appropriate planning forecasts.

Mr Speaker, the bill is one aimed primarily at providing for the independent continuation of the Grain Marketing Board and its activities to properly service the requirements of the grain industry. I commend the bill to honourable members.

Debate adjourned.

MINE MANAGEMENT BILL
(Serial 259)

Bill presented and read a first time.

Mr COULTER (Mines and Energy): Mr Speaker, the Mines Safety Control Act was developed some 15 years ago, in 1976. At that time, the act was considered to be 'the best possible legislative control to safeguard the lives and health of all employees in the mining industry'. To give substance to this legislative regime, a traditional approach based on a large number of detailed statutory regulations was put in place. The Mines Safety Control Act now contains some 70 sections and the regulations have over 600 sections. The mining industry and the government recognised that a review of the act to ensure its continued relevancy was long overdue. The Mining Board of the Northern Territory and the Department of Mines and Energy have undertaken such a review, culminating in the Mine Management Bill. This bill portrays the philosophy of present-day thinking on occupational health, safety and hygiene.

I will now review the bill and, where relevant, compare it with the Mines Safety Control Act. Part I deals with the preliminaries concerning the title of the act, its commencement, interpretation of the terms used in the act and its applications. There has been a need to change several definitions in the Mines Safety Control Act to make them relevant to the intent of the Mine Management Bill. These changes are illustrated in detail in the explanatory notes. However, the most important of these changes is the definition of a mine. Since the Mine Management Bill applies not only to health, safety, mining and engineering matters but also to the environmental protection of a mine site, it became necessary to define a mine as a site which encompasses all of these activities.

The lengthy definition of a 'mine' in the Mines Safety Control Act has been reduced for the purposes of the Mine Management Bill without loss of precision. The definition now reads: 'a place or area where the exploration for, or the mining or treatment of a mineral or an extractive mineral takes place and includes a place in relation to which a declaration under section 5(3) is enforced'. This definition embraces all the mining and exploration activity and, as with the Mines Safety Control Act, provision is available under section 5 for the minister to exempt a mine or part of a mine from the act or its regulations if necessary and, under section 5(3), to declare that the act applies to a place which is not a mining operation. The latter provision is necessary, for instance, in cases where a mining project may involve off-site ship loading facilities or where specialised mining expertise is required in, say, tunnelling or major excavations where ground stability may be a problem. It is not the intent

of this bill that mining legislation will apply to lapidary workshops, brick manufacturing, gem shops or like industries.

Part II deals with the administration of the bill. This provides for the minister to appoint a person to be Director of Mines who is an employee within the meaning of the Public Service Act. The practice of gazetting the appointment to give it effect has been dispensed with. Gazettal will take place but the gazettal notice will be more for the purpose of public information. The appointment of officers is likewise a straightforward matter, the process being similar to the appointment of the Director of Mines.

The composition of the Mining Board is covered in part III and, as in the Mines Safety Control Act, the board is made up of a Director of Mines who will be chairman, the Chief Government Mining Engineer and 4 persons appointed by the minister on the grounds of their qualifications, knowledge and skill in the mining industry. A member appointed by the minister holds office for a 3-year term but is eligible for reappointment. This is a new initiative as it is felt that a change in membership every 3 years will provide the opportunity for the selection of members from all sections of the mining industry. The function of the board will be to examine and issue mine managers with certificates of competency over the entire range of mining operations. In fact, it will be a board of examiners. The board will also act as final arbiter in the case of discretionary decision. It will, when required, advise the minister on the operations of the act or on matters arising out of or in connection with the act.

Part IV deals with the appointment of a mine manager and deputy managers. This section is similar to that of the Mines Safety Control Act in that it requires the owner or agent of a mine to nominate a person who has a thorough knowledge of the act, is conversant with good industry practice and, where appropriate, possesses a mine management certificate, to be manager of a mine. A similar provision exists for the nomination of a deputy manager. Both the manager and his deputy are now required to possess a mine manager certificate where a mining operation employs more than 20 persons. This is a new requirement which will ensure that, on such a mining operation, a person with a mine manager's certificate will be present at the site at all times. On a personal basis, I am hopeful that companies will encourage their mining engineers and other supervisory personnel to obtain mine management certificates by offering an incentive to employees who possess the additional qualifications.

Mr Speaker, a wide range of management certification will now be available for those who have spent a lifetime in acquiring the techniques of open-cut or underground mining. Examinations will be structured to provide for management certificates of competency restricted to those areas of expertise. In this way, persons who have no formal training except years of experience will receive recognition. Amongst other things, the possession of a mine manager's certificate is an indication that the holder is conversant with the act and its regulations.

The general duties and responsibilities of a mine manager have been significantly expanded to highlight his coordination role by the inclusion of aspects of occupational safety, health and hygiene standards. He is to ensure the implementation of safe working systems and practices in meeting these objectives. He is also to ensure that all work on the mine is carried out in such a manner as to minimise any damage to the environment. The manager is required to carry out daily inspections of all workings of a mine and a weekly inspection of all parts of a mine. He may, of course, appoint

a person to assist him in this task and provisions are available for him to do so. It is for this reason that the deputy manager is also required to possess a mine manager's certificate. This section of the bill consolidates, in a few clear statements, what is expected of a mine manager.

Accidents and injuries are covered in part V of the bill, which provides for the reporting of accidents and inquiries into their causes. Whilst the thrust of the bill seeks the prevention of accidents and injuries in a relatively dangerous industry, it recognises that, inevitably, they will occur. For this reason, there are provisions in the bill for certain measures to be taken when accidents or incidents do occur and for the method of reporting such events and conducting inquiries into their cause. The bill requires the manager to report and take certain actions on non-casualty incidents. A wide range of likely occurrences have been identified for his particular attention. Finally, for accountability purposes, the manager is required to provide to the Chief Government Mining Engineer, on a monthly basis, details in respect of all lost time injuries that have occurred on the mine site. These statistics will identify areas on the mine site which may require greater vigilance and control. A lower incidence of workplace injury is the primary objective of this government.

Part VI deals with employment and, in conformity with the states of Australia, the minimum age for underground work is placed at 18 years. A person who has not attained the age of 15 years will not be employed in or about a mine. This is in keeping with the International Labour Organisation convention.

Whilst the provisions of the act are directed towards the obligations and responsibilities of a mine manager to create and maintain a safe working environment, I must emphasise that safety on a mine site is not a one-way street. The successful reduction in the number of accidents on mine sites can be achieved only if each and every employee cooperates in making his own workplace safe by ensuring that the equipment and machinery he works with are not likely to produce a dangerous situation to himself or his fellow workers and if, where such a situation exists, he reports it to a person of authority. The involvement of employees in maintaining a safe workplace is an important and integral inclusion in the bill.

Part VII covers winding engines, their operation and maintenance. Winding engines are a part of underground mining operations and are used for hoisting persons, ore and materials in an underground mine. Provision is made in the bill for the examination of qualifications and the issue of licences to winder engine drivers. The particular areas for examination will be taken up in regulations. The manager of a mine is guilty of an offence should he allow a person without a licence to operate a winding engine. The bill provides also for the approval of winding engines by the Chief Government Mining Engineer and further requires the keeping of a record book for each winding engine in which the maintenance of this vital piece of mining equipment is to be documented.

Part VIII requires the mine manager to retain, at the mine site, an up-to-date set of plans of the mine. The plans are to be updated every 6 months to include any extension or modifications which may have occurred subsequently. On request from the Director of Mines, the manager must supply a complete set of plans. On the closure of a mine, the manager of the mine must deliver a complete set of plans to the Director of Mines. An up-to-date set of plans provides vital information in the event of an emergency, particularly in an underground mine.

Inspection of mines is covered in part IX of the bill. Whilst the powers provided to the inspectors and the Chief Government Mining Engineer are wide, they are not in any way intimidatory. The inspector's role as an independent observer is to advise and assist in the implementation of the provisions of the act and to highlight the more serious problems where perhaps tighter control or monitoring might be needed. When an inspector visits a mine, he will be concerned with the total picture as much as with those particular details which happen to have been made the subject of specific regulations. Where there is need for special expertise, provisions are available for an inspector to authorise such a person to accompany him in the inspection. Provisions are available also for an inspector to inquire into the complaints of mine workers without divulging his source.

In addition, the part provides for the employees to elect 2 persons from within their ranks to inspect the mine and report their findings to management. The findings of those 2 persons must be recorded in the mine record book and a copy of the report is to be forwarded to the Chief Government Mining Engineer and the mine manager. The general requirement of the main statute will be fleshed out as necessary by detailed provision in the form of statutory regulations, special provisions, Australian standards and the Codes of Practice.

Part X of the bill provides the minister with the powers to make an order approving a code, standard, specifications or provisions over a wide range of activities taking place on a mine site. In addition to this, the bill allows the minister to make orders to apply to a particular mine or to mines generally. Part XI of the bill deals with the usual provisions of compliance, penalties, review of decisions and the development of regulations by the Administrator over a comprehensive regime of mining criteria.

Recasting the Mine Safety Control Act has provided the occasion for a determined effort to prune the deadwood from the act and its regulations. Regulations which lay down precise methods of compliance have an intrinsic rigidity and past experience has shown that their details are quickly overtaken by technological developments. On the other hand, a lack of precision creates uncertainty. The need to reconcile flexibility with precision dictates that, wherever practicable, regulations will be confined to statements of broad requirements in terms of the objectives to be achieved by management. I must emphasise that it is the government's intention that any regulation adopted will, as far as is practicable, be consistent with and have similar scope to other relevant Territory legislation, such as the Inspection of Machinery or the Construction Safety Acts.

The bill has been developed after consultation with other government departments and the Mining Board. Then the bill was circulated to industry, unions and other interested bodies for comment. As a result of those consultations, many constructive comments were received, and I thank all those people and organisations that have made contributions to the development of this important piece of legislation. I must express my disappointment at the failure of the mining industry unions to contribute to those consultations, despite their being given several opportunities to do so over the past 4 months. My disappointment by their attitude is deep, because I firmly believe that the answer to health and safety does not lie in a preponderance of statutory regulations but in the cooperation of both management and worker in creating and maintaining an atmosphere whereby the goals of health and safety can be achieved.

Mr Speaker, I commend the bill to honourable members.

Debate adjourned.

POLICE ADMINISTRATION AMENDMENT BILL
(Serial 239)

Continued from 30 November 1989.

Mr BELL (MacDonnell): Mr Speaker, I rise to indicate to the government that the opposition will be supporting the proposed amendments. I note that the Chief Minister indicated that the search provisions were being removed from the misuse of drugs legislation and included in the police administration legislation because it is the police who carry out these searches. That is appropriate.

As I say, these amendments are broadly acceptable to the opposition. We note that they are a more restricted set of provisions than those that they replace in those previous bills that have been before the parliament for some time. The earlier versions which were found in the proposed Poisons and Dangerous Drugs Act amendments have, as I say thankfully, apparently been withdrawn or are to be withdrawn. Those earlier proposals, as honourable members may be aware, included provision for compulsory body searches, and much wider powers of search without warrant including a power to search persons near premises which are the subject of a warrant. The powers included in this amendment are much more restricted and they show the benefit of having been placed before the Police Powers Review Committee.

I do not propose to discuss the operations of the Police Powers Review Committee at length, except to remind honourable members that the committee was established after the controversy over and the subsequent passing of bills to allow people to be detained for a much longer period of time before having to be brought before a justice.

Returning to the bill before us, the power to be found in proposed new section 120C gives a member of the police force the power to stop and search aircraft, vehicles, ships, or persons in such vehicles or in a public place, without a warrant, if there are reasonable grounds to suspect that the person has a dangerous drug in his or her possession. Whilst this is an extension of the powers presently found in the Police Administration Act, it reflects powers given to police in most states, and that is of course in contradistinction to the powers of detention which were provided in the bills I referred to earlier. Those bills provided significantly greater powers of investigatory detention than were available anywhere else in Australia. This particular bill is at least subject to the constraint that a police officer must have reasonable grounds for suspecting that the person is in possession of a dangerous drug.

Mr Speaker, with those comments and the expression of those concerns, I indicate the opposition's support for the bill.

Mr FIRMIN (Ludmilla): Mr Speaker, I rise also to support the bill. I will not go through it in quite such detail as did the minister and the honourable member opposite, but I would like to draw the attention of members to one part of the bill which is quite an innovation. Whilst I am sure that the minister and the opposition spokesman are aware of this, I think that it is interesting that, for the first time, a warrant application can be made by telephone, telex, radio or other similar means. Such application directly to a justice would be made on oath, requesting that

certain parts of the warrant be executed. This has not been normal practice previously. It has been extremely difficult for members of the judiciary to carry out the duties which they have supposedly been able to perform unless they have had some hard documents against which to supply a warrant. Now this warrant will be able to be supplied by telephone, radio, telex or some other similar means. To me that is a good innovation which will bring the police and the judiciary into the 1990s with a vengeance.

Mr Speaker, I support the bill.

Mr SETTER (Jingili): Mr Speaker, there is no doubt that this government has a firm total commitment to reducing the incidence of drug-related crime and the consumption of offensive drugs in this community. As you would well know, Mr Speaker, the Misuse of Drugs Bill has been available now for public comment in the community for quite some time. It is on the Notice Paper and will be debated at a later time.

The bill before us has a very close relationship with the Misuse of Drugs Bill because that particular bill does not contain search and arrest powers which are normally available to police. This Police Administration Amendment Bill does contain those powers, and it is much more appropriate that they be in this particular bill which will amend the principal act.

The bill consolidates drug-related police powers and brings them all into a single act. It has also a very close relationship with the Poisons and Dangerous Drugs Act which provides essentially the same police powers. That act is already in existence. In effect, it provides for the police force to search for drugs upon the granting of a warrant. It provides for access to and search of a person on land or in a ship, vehicle or aircraft. It also provides powers to search without a warrant or where it can be reasonably expected that drugs will be found on the premises, ship, vehicle or whatever. Another interesting aspect, and we have seen this particular provision in legislation relating to domestic violence in recent times, is that it allows reasonable force to be used in order for the police to gain access to carry out their powers.

The other very critical point is that this matter has been before the Police Powers Review Committee and has received its endorsement and support. Mr Speaker, I support the bill.

Motion agreed to; bill read a second time.

Mr PERRON (Chief Minister)(by leave): Mr Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

LOTTERIES AND GAMING AMENDMENT BILL
(Serial 244)

Continued from 30 November 1989.

Mr LEO (Nhulunbuy): Mr Speaker, at the outset I would like to indicate the opposition's support for this piece of legislation. Video gaming machines in general are becoming far more popular in the clubs as a revenue-raising mechanism. Whilst I think it is necessary that there should be some control over the way in which these machines are maintained and supplied, I have 2 questions to ask the minister in relation to this legislation.

Firstly, does the government intend to allow cash payouts from video gaming machines? Secondly, when the minister replies, can he tell us if, as part of the application, there would be a requirement to assure the commission on the level of payout that these machines may provide to their customers? Will they be set at 97% or 87% payout, or whatever the relevant figures may be? I ask the minister if he could supply me with the answers to those questions in his response.

Mr POOLE (Araluen): Mr Speaker, I rise to speak in support of this bill. Obviously, the intent of the bill is to make it an offence to possess a gaming machine in the Northern Territory without the necessary permits as required by the Racing, Gaming and Liquor Commission. Honourable members would be well aware that the current legislation has a fairly loose permit system which really does not reflect the changes which have occurred in the gaming machine industry over the past few years and is really quite inadequate to cope with the number of machines which are now in the Northern Territory.

The bill requires that people who supply or manufacture machines have approval from the commission and the minister and that the machines and manufacturers must be identified as being suitable. The present legislation does not support the licensing of people in the industry, but the history of video gaming machines in New South Wales clubs gives ample cause for concern that unrestricted participation in the industry provides an opportunity for organised criminal activity. Indeed, I understand that there is ample evidence to show that, in places where machines are uncontrolled, clubs which have obtained an abundance of machines and found themselves in financial difficulties have discovered that the company financing the purchase of the machines was a subsidiary of the machine manufacturer. In some cases, because of the amount of money they owed, clubs were taken over by the people who supplied the machines. Obviously, this situation provides companies with an opportunity to engage in criminal acts, and we want to ensure that such things do not happen in the Northern Territory.

For the same reason, the act requires too that anybody who operates a machine be licensed and that those who lease machines should obtain them from a licensed lessor. Current legislation establishes only a loose control of the machines themselves and it is believed that this is inadequate to deter criminal activity. The continuation of leasing arrangements may offer a limited opportunity for exploitation. However, the nature of the Northern Territory club industry, with a large number of very small clubs of marginal financial viability, does not support a requirement for outright ownership of the machines at this time.

In addition, the act will require that persons who maintain machines must have a licence issued by the commission. Any person who has the required technical knowledge and access is in a position to manipulate a gaming machine. I imagine that this is what the member for Nhulunbuy was alluding to in his comments. We want to ensure that the people who adjust the machines do so in such a way that the machines pay at the rate they are supposed to pay at, whether that is 85%, 95%, or whatever. I am sure that the minister knows the figure although I do not. When I looked at some machines last year, I was interested to see that they are now becoming so sophisticated that it is possible to use a small device like a television tuner, point it at the machine, and punch in the rate at which the machine is to pay. I understand that such machines are available only in the United States at present but, obviously, the Racing, Gaming and Liquor Commission has to be prepared to keep such developments under control.

At present there is no licence fee. However, I think it is only fair that the industry itself should pay for the costs of assessing licences. In the case of operator and maintenance permits, the fee will recover simply the administrative costs involved. In the case of machine permits, the costs of expert technical assessment will be recovered in addition to administrative costs.

The act actually provides for a transitional period of some 12 months for the industry to adjust to the new requirements. This transitional period will allow time for people associated with the industry to apply for permits and to be properly assessed. It will also allow existing owners and leasing agents time to modify or replace those machines which fail to meet the new standards.

Mr Speaker, I think the measures are appropriate when one considers the increase in the number of gaming machines in the Northern Territory and the amount of money which flows through them. Members of the public are aware, when they use the machines, that they are playing games of chance. However, the chances must be those which are advertised and machines must pay out correctly. They are not designed to cheat the general public. Mr Speaker, I support the bill.

Mr FINCH (Racing and Gaming): Mr Speaker, the member for Nhulunbuy asked a couple of questions. I advise him that there is no intention to provide for cash payment under this legislation. As far as the level of pay-outs in concerned, the present 85% minimum will continue. In fact, I am aware of some clubs, including a club in the honourable member's electorate, which pay well in excess of that as a marketing tool. That is fine, but the 85% minimum must apply. Fees have not been set yet but it is intended that only a nominal fee will be charged. The same monitoring and licensing provisions as those which apply to suppliers will apply also to machine maintenance agents. Once again, there must be appropriate control of who can and cannot work on the machines.

The new arrangements will provide for a much higher level of security. Large amounts of money are involved in gaming machines these days. I know that the few clubs to which I belong obtain a substantial turnover from them. The move away from 50:50 arrangements to the mandatory purchase schemes and a more normalised approach to financing of machine purchase will enhance the situation for clubs unless their turnovers are extremely low, in which case they will have to review what they do with their machines and whether they should have them at all. If, however, I can use as an example a club to which I belong, its move away from the 50:50 scheme last year led to an $80 000 increase in profits.

In addition to the regulatory requirements, there will be regular inspections of machines. At this stage, at least a quarterly reading of machines is intended. Of course, that will involve readings of total turnover and pay-outs.

Mr Collins: What about random readings?

Mr FINCH: There will be random checks by officers. The arrangements are being put into place now to complement this legislation.

Large amounts of money are involved and there is a need for improved security. As it turns out, really all of these arrangements will be in the interest of club members. They will ensure that systems are intact and, secondly, in most cases, they will lead to an improvement in profitability.

Mr Speaker, I thank honourable members for their contributions.

Motion agreed to; bill read a second time.

Mr FINCH (Racing and Gaming)(by leave): Mr Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

SUPREME COURT AMENDMENT BILL
(Serial 247)

Continued from 29 November 1989.

Mr BELL (MacDonnell): Mr Speaker, as the Attorney-General mentioned in his second-reading speech, the purpose of this bill is to clarify the relationship of the Full Court of the Supreme Court and the Court of Appeal, to enable the Supreme Court to refer a matter back to the Local Court, and also to make minor statute amendments. The opposition has studied this bill, accepts the amendments and the reasons for them as outlined by the Attorney-General, and is quite happy to support them.

Mr SETTER (Jingili): Mr Speaker, I too will be very brief in speaking to this bill.

The Supreme Court Act contains an anomaly which does not exist elsewhere in Australia and this amendment has been brought forward to correct that situation. The bill deals with 3 problems. First of all, it clarifies the relationship between the Full Court and the Supreme Court. It authorises the Supreme Court to pass matters over to the Local Court and, in fact, it also implements a minor statute law revision. In his second-reading speech, the Attorney-General detailed the complexities of how these changes would be implemented. I do not intend to waste the time of the Assembly by going through them again. With those few words, Mr Speaker, I support the bill.

Motion agreed to; bill read a second time.

Mr MANZIE (Attorney-General)(by leave): Mr Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

CRIMINAL LAW (CONDITIONAL RELEASE OF OFFENDERS)
AMENDMENT BILL
(Serial 235)

Continued from 20 November 1989.

Mr LANHUPUY (Arnhem): Mr Speaker, I would like to advise the House that the opposition has no difficulty with the amendments introduced by the Minister for Correctional Services. However, we would like to raise a matter in connection with the amendment to section 3 of the act. Probation officers have been given the role of testing blood alcohol levels of people on home detention orders. As the honourable minister would be aware, the operation of those machines requires particular skills and we would stress that officers must be given the necessary training to acquire those skills. Otherwise, Mr Speaker, the opposition supports the bill.

Mr SETTER (Jingili): Mr Speaker, these amendments relate to the Home Detention Scheme which was introduced in February 1988. As we all know, it was a very innovative step at that time. As the result of an ongoing review, we now have the amendments before the House at present.

I understand that the Northern Territory scheme is unique in Australia. I think it was the Attorney-General who indicated that the scheme is soon to be imitated by New South Wales. I understand also that Queensland and South Australia have had a form of home detention operating for some time. However, my advice is that the scheme in the Northern Territory is a great improvement on those various schemes. At the time when this bill was introduced, the Northern Territory scheme had processed 104 home detention orders. Apparently, we have achieved about a 90% success rate. That is tremendous because the 104 persons who have been under these home detention orders would otherwise have been incarcerated in our jails.

The amendments authorise the introduction of electronic surveillance equipment. I understand that the device consists of a verifying unit which can be fitted to a telephone. This is then married to a wristlet or an ankle strap which is worn by the offending person, enabling surveillance checks to be made and removing the necessity for an officer physically to check that an offender is at home. This is a further, cost-effective improvement to what is already a very innovative and progressive scheme. I compliment the minister and express my support for the bill.

Mr REED (Correctional Services): Mr Speaker, I thank honourable members for their comments. In response to the member for Arnhem, I can assure him that any officers of the department using breath analysis equipment would have to be fully trained. It is possible that the use of such equipment would be carried out either by the police or officers of the department. Certainly, officers of the department will be fully trained prior to being required to use the equipment.

In regard to the member for Jingili's comments about the Home Detention Scheme, it is worth noting that the states are now following the lead set by the Northern Territory in regard to home detention and other initiatives implemented by the Department of Correctional Services in the Territory. Officers of the department can be very proud of their achievements in this regard over the last few years. It illustrates again that, in the Territory, we enact what truly can be recognised as pioneering legislation. Officers can be proud of the achievements that they have made in recent years and I take this opportunity to commend them.

Motion agreed to; bill read a second time.

Mr REED (Correctional Services)(by leave): Mr Speaker, I move that the bill be now read a third time.

Mr SETTER (Jingili): Mr Speaker, I want to correct a comment that I made during my speech during the second reading. I thought that the bill was the responsibility of the Attorney-General. Obviously, that was not correct. It is the responsibility of the Minister for Correctional Services.

Motion agreed to; bill read a third time.

SUMMARY OFFENCES AMENDMENT BILL
(Serial 238)

Continued from 22 November 1989.

Mr BELL (MacDonnell): Mr Speaker, this amendment relates to section 61 of the Summary Offences Act dealing with the receiving of stolen goods. The amendment replaces the existing regime for dealing with receiving stolen goods. In the view of the opposition, the amendments are acceptable and appear to have the desired effect.

In this context, I might comment - and I hope the Attorney-General will give some consideration to this - that the Summary Offences Act has become a bit of a hotchpotch. The act is a very old one and, in the view of some practitioners at least, it is in drastic need of overhaul. As the Attorney-General would probably know from his days as a prosecutor, it has had piecemeal additions and amendments made to it over the years. In the view of many practitioners, it is an unworkable mishmash that is in need of a comprehensive reworking. I do not expect the Attorney-General to respond one way or the other in this debate, but I think that the view which I have just outlined is worthy of his consideration and should be the subject of a report to the Assembly at some suitable time.

I note that the honourable Attorney-General has circulated an amendment schedule which is essentially of a syntactical rather than a policy nature. That is also acceptable to the opposition.

Mr SETTER (Jingili): Mr Speaker, the bill repeals section 61 of the existing act and replaces it. As the minister indicated, the current act states that the offence is not completed until the suspect fails in court to give a satisfactory explanation of how the goods were come by. The new section 61 provides this explanation. It also says that this shall be a defence to the offence rather than part of the actual offence.

The new section 61 clarifies the type of goods covered by the act. For example, it covers not only goods suspected of being stolen but goods otherwise obtained unlawfully and goods which are the personal property of others but suspected of being stolen. It refers also to a person who gives goods suspected of being stolen to another person. It provides for the parameters of types of goods to be widened to include cash, cheques and money in a bank account. Further, the bill repeals section 61(4) relating to the disposal of unclaimed stolen goods by the police because this is already covered by section 166. I support the bill.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, in rising to support this legislation, I believe it is necessary to consider briefly the reason why it has been brought forward. To my way of thinking, it is necessary to consider the subject of stolen goods in the light of community values these days. One reads in the paper daily about houses which have been broken into and goods which have been stolen. Houses have practically to be barred like Fort Knox if one expects to go out and return home to find everything as one left it. If you have cattle dogs, they can help to guard your property.

This is a far cry from the days of 20 years or so ago in Darwin when, as some honourable members know, one could walk out of the house and leave it open. It did not matter whether there were valuables inside or not. The outside fridge might have had bottles of beer inside it. The house could have contained anything but, every time one came home, everything was exactly as one had left it. Nothing was stolen. It is a sad reflection on community values that we find it necessary to debate legislation like this, dealing as it does with stolen goods, the disposition of such goods, excuses about such goods, situations in which people may have obtained such goods mistakenly, and so on.

Unfortunately, I have to say that the rash of break-ins which has occurred in urban areas for some time has spread now to the rural area, especially to 2 roads in our area. Break-ins have resulted in some things being stolen. Some stolen things have also been recovered. It does no good to beat one's breast and say that some of your things have been stolen. I have had things stolen from my place and we all decided that something should be done. We held a meeting in our immediate area to try to combat this sort of activity. We have formed what could be considered to be the first rural watch scheme. It is an informal rural watch scheme in the Northern Territory. We will be having further meetings and we will be getting together on future occasions. We hope by this means to be able to look after our own interests. Whilst not casting aspersions on the police force, because they do a pretty good job in recovering stolen property and trying to keep law and order, it is up to each of us these days to spend a bit more time and effort on guarding our material possessions. Otherwise, we may be the losers.

Mr Speaker, I support the bill.

Mr MANZIE (Attorney-General): Mr Speaker, I thank honourable members for their support. I would like to commend the member for Koolpinyah for her work in encouraging people in the rural area to be community minded with respect to crime.

Mrs Padgham-Purich: We had a 90% turn-up.

Mr MANZIE: Certainly, the only way to stop crimes such as housebreaking and related offences is by the community itself saying that it has had enough. Obviously, the police could not carry out the task unless they could station a member in every residence in the Territory, which is clearly not possible. However, if people in the community are aware of what goes on around them, are willing to report suspicious circumstances to the police, and take the precaution of identifying their property so that it can be identified if it is stolen and so that an offender caught in possession of it can be charged with the appropriate offences without any difficulties associated with property identification, that is a step forward.

I think that all Territorians should be aware that crime can be minimised if, as a community, we take action and say that we will not tolerate other people coming in and taking our property. I certainly hope that the establishment of this unofficial watch in the rural area expands even further. It is a good move.

I agree with the member for MacDonnell that the Summary Offences Amendment Bill does leave quite a bit to be desired in relation to its layout. It has been around for a long time. It is one of those pieces of legislation which will be reviewed and cleaned up when the opportunity arises, but there is other legislation which needs to be attended to first. However, I do accept that what he says is very true. I thank honourable members for their support for the bill.

Motion agreed to; bill read a second time.

See minutes for amendment agreed to in committee without debate.

Bill reported; report adopted.

Mr MANZIE (Attorney-General): Mr Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

STATEMENT
Model of State Square

Mr SPEAKER: Honourable members will have noticed that the model of State Square has been placed in the foyer of this building. The model will remain there for some time and it is my intention to have it displayed throughout the Territory at a later date. I intend to arrange for a briefing for the press and other interested parties at a later stage and I will advise of the arrangements later in these sittings.

ADJOURNMENT

Mr HARRIS (Education): Mr Speaker, I move that the Assembly do now adjourn.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, to start with tonight, I would like to say that unfortunately the incidence of crime has increased everywhere in the Northern Territory, small crime as well as more serious kinds of criminal activity.

I have nothing but praise for the police and the people who enter into neighbourhood watch agreements to protect their own interests. I believe that, in parts of Darwin where such schemes have been implemented, especially the northern suburbs, the incidence of crime against property, and no doubt against persons as well, has decreased. I mention crime against persons because, in some instances, a person may set out to enter another's house with the object of stealing money or goods, find somebody there and assault them.

The commencement and continuation of neighbourhood watch committees in the suburbs has done much to improve law and order in the community. I believe one has to give credit where it is due. I think the first person to raise the subject of neighbourhood watch committees in the Legislative Assembly was the Leader of the Opposition.

Mr Firmin interjecting.

Mrs PADGHAM-PURICH: All right. The member for Ludmilla says that it was he, and I will concede that. It was the member for Ludmilla first and then the Leader of the Opposition. I am only sorry that it took so long before we saw the implementation of these committees.

In our immediate neighbourhood in the rural area, in our road and a road which joins it, people have been concerned for some time about the incidence of petty crime. A relative of mine had a car stolen, and we were very pleased when the police subsequently recovered it undamaged. One gentleman had his place broken into 4 times. Cars came into the driveways of 2 other houses and stayed there at night when the ladies who lived there were alone. They became rather concerned, so much so that one lady rang her husband to come from work. He worked at Palmerston. She asked him to come home from work to check out the situation because she had young children there and she was very concerned. There were 2 break-ins and a further attempted break-in. Other people had small things stolen from the rear of their blocks.

What with one thing and another, I thought it was time we gave consideration to forming a kind of neighbourhood watch in our area. I

approached all the people in our road and the people in the adjoining 2 roads. They were all very enthusiastic. I believe that, when neighbourhood watch public meetings are called in town, a 50% attendance of residents is considered quite good. The meeting in our area was attended by well over 90% of the people concerned. It served another useful purpose because everybody got to know everybody else if they had not known them before.

We invited a senior sergeant to come out from police headquarters and he explained the system to us. He made an interesting suggestion which could help us in our efforts to keep law and order in our community, in other words to stop break-ins and to deter undesirable people from hanging around. His suggestion was that we identify all our moveable valuables, such as video machines, TV sets and so forth, with our driving licence number. Subsequently, several people have made approaches to the police to borrow an appropriate machine for engraving identification numbers on goods and I believe that this will go a bit further towards helping matters in our area.

At this point, I should mention the manner in which a certain person who lives in our road maintained law and order in his own way at his place, although his method might not be recommended by the police and far be it from me to advocate the vigilante approach. This gentleman lives in one of 2 adjoining residences. Both had been broken into previously and petty cash collections had been taken from each. The second time it happened, about a week to 10 days after the first, the gentleman heard his neighbour's dog barking and his neighbour's screen door slam, so he was pretty sure that the other house was being broken into. He got out his 0.22 and let off a couple of shots into the root of a tree nearby. We heard the shots ourselves and wondered what was going on. He said that, as soon as he fired the shots, a car immediately took off down our road. Whilst that sort of behaviour is perhaps not to be recommended in the interests of good law and order, nevertheless I believe that the person who had designs on the property in that house will not go visiting there again.

The only reason our particular form of neighbourhood watch cannot be considered an official rural watch or an official neighbourhood watch is because a bit of book work is needed to finalise matters at police headquarters. A record of incidents needs to be maintained, obviously on computer in these days, together with names of participants with their particulars. This adds up to quite an amount of work. If there were many requests to form an official neighbourhood watch, I believe that it would place quite a strain on the resources of the police force ...

Mr Perron: Hear, hear!

Mrs PADGHAM-PURICH: You had better not 'hear! hear!' I am going to ask you for something now.

Mr Speaker, as the honourable Minister for Police agrees with me, the least he can do is to consider the duties of the police involved in neighbourhood watch and give some thought to allotting more resources for the scheme, so that the staffing ...

Mr Manzie: It costs a lot of money.

Mrs PADGHAM-PURICH: Pardon?

Mr Vale: I will give you a blue heeler, Noel. I have one.

Mrs PADGHAM-PURICH: Mr Speaker, if a rural neighbourhood watch scheme is implemented officially throughout the Territory, I believe that the Chief Minister, through his Commissioner of Police, will have to look seriously at increasing staffing for the program. I think that would be in the interests of the community at large, because it is rather like preventive medicine. Preventive medicine costs considerably less than treating the actual disease. The same principle applies in this case. I believe that, in the long run, preventing a crime occurring will cost considerably less than dealing with the crime, which includes dealing with the criminals, the loss, all the heartbreak and perhaps even hospitalisation. It will also cost much less in terms of use of police resources if extra staff are engaged on this scheme which enables the prevention of crime.

I have not pursued this matter actively to date because of other commitments, but I will be pursuing it further in our rural area. We have a very community-minded group of people in our area and, in the end, it all boils down to being concerned about your neighbour. It does not necessarily mean being nosy about your neighbour; it means being concerned. For example, on Tuesday night I told a person in my area that I expected to be home late. I arrived home at a reasonable time after the House rose and, of course, I turned on the lights when I got there. Soon afterwards, the telephone rang. This particular person said: 'Oh, it is you. I was just checking because you told me that you would not be home for several hours yet'. I thanked the person for ringing and said that that was what rural watch was all about.

I hope that, even if honourable members to not wish to encourage it themselves, nevertheless, they will see fit to participate in neighbourhood watches or rural watches themselves, whatever their situation may be.

Mr FIRMIN (Ludmilla): Mr Speaker, during the Assembly sittings of June 1984, I spoke about problems connected with inflation and finance. I mentioned what I considered to be a very eloquent and concise precis of the weakness of the Australian economy, given by Sir Roderick Carnegie, the Chairman of CRA. It is interesting to return to what he said at that time in view of the situation of the Australian economy today.

At that time, Sir Roderick pointed out the importance of remaining internationally competitive. He indicated that international competitiveness is linked directly with the standard of living of all Australians. He referred also to the high level of overseas borrowings. He said that such borrowings, and consequent large increases in external debt, could not continue indefinitely and that the longer we waited before the matter was dealt with, the more painful it would be to make adjustments to the economy to restore competitiveness. That was in 1984. Now, a little more than 5 years later, it is interesting to see how far we have come. Sir Roderick went on to say: 'Regrettably, it remains necessary to continue to make this point ... the outcome of years of failure to address the competitiveness issue is that the nation's living standards do not rise or even keep pace with other developed countries'. We are falling behind.

Mr Collins: Surprise, surprise.

Mr FIRMIN: Surprise, surprise. Yes. It is interesting to see just how far we have actually come in the last 5 years. We have certainly been falling behind. Most people have some indication in their daily lifestyle of the impact of interest rates because they have no real disposable income at the end of each week's wage packet. The proportion of wages required to

pay for housing, clothing, electricity and daily needs has increased to such an extent that many people are finding it difficult to exist.

It is interesting to look back to 1984 and some of the prices and interest rates which applied then. In doing some research on the figure, I looked at the World Development Report of 1987 to see where Australia stood at that time in comparison with where we are at present. One can certainly predict where we will go if we do not turn the corner. It will be all downhill. Our gross national product has been falling at an average rate of 1.7% per annum since that period. Our agricultural exports rose markedly until 1985-86, when they turned the corner.

Mr Ede interjecting.

Mr FIRMIN: Perhaps you might like to read this at some stage later on. It is the World Development Report put out by the United Nations.

Mr Ede: Explain to us how gross national product has been falling every year for the last 7 years.

Mr FIRMIN: Information has been collected from 128 countries. They have reported to the World Bank Group about their gross national products and gross national debts. The report shows that we are running into some difficult areas.

Mr Smith: The whole problem is that there has been too much growth.

Mr FIRMIN: I will take up that interjection. You are right. There is too much growth in the importation of goods. That is easy to see.

Mr Ede: It is a factor of an increase in demand.

Mr FIRMIN: Absolutely, but there has not been any increase in the exportation of goods; quite the reverse, in fact. In the manufacturing and merchandising area, for example, imports rose by 37% between 1965 and 1980 and by 42% between 1980 and 1985. In the same period, the proportion of gross national product contributed by the industrial and manufacturing sectors fell by 1.9% per annum and 1.7% per annum respectively. It is definitely going down and that is fairly simple to see when one realises that Australia's net foreign debt has now reached $108.16 billion. The cost of servicing that debt is now $600 per head of population just to repay the interest. That debt has accumulated since 1981, and the situation will not improve under the current federal Labor government.

In the last election campaign, the federal Labor government said that it would reduce petrol prices by 3¢ per litre. Let us have a look at what has actually occurred since then.

Mr Perron: What about sales tax on freight?

Mr FIRMIN: I will come to that next.

Petrol prices were to be reduced by 3¢ per litre. In 1987, the price of petrol was 56.6¢ per litre. It rose steadily through 1987, 1988 and 1989 and, in February of this year, it has gone up again. It is now at 65.9¢ per litre. We were promised a 3¢ per litre reduction in petrol prices, but what did we get? We got a 13¢ to 14¢ increase!

Mr Vale: A net loss of 17¢.

Mr FIRMIN: Yes. A net loss of 17¢ per litre.

We were promised too that sales tax would no longer be levied on the freight component of the cost of goods. That was another good promise. It would have helped the Northern Territory. It would have helped with another campaign promise, the establishment of a special north Australian task force under the direction of the Prime Minister to examine how a Labor government could best help state and Territory governments to develop the north. It would have been nice to have a reduction in sales tax. That would have helped to develop the north. Then we had the document about bringing Australia together, which told us that a Hawke Labor government would 'introduce a cheap and safe no-frills air fare'. We got the no-frills air fare last August, September, October and November. We did not have any airlines. We did not have any frills. We could fly in a Hercules. There were no problems at all, courtesy of RAAF airlines. It was certainly a no-frills air fare. We were also promised a cut in income tax. I will concede that there was a small cut in income tax. However, what we saved was taken away again through every imaginable form of indirect taxation.

Labor promised to establish a national road freight inquiry. We do not have an inquiry but we have blockades on the borders of New South Wales and Victoria as a result of the federal government's attitude to the road situation, particularly road funding. The roads do not seem to have benefited greatly from the 17¢ per litre increase in road and petrol taxes. We still have great problems with the Victoria Highway. One has only to look at the New South Wales road situation and how all the truckies are out there opposing the Hawke Labor government with its proposal to spend another $110m and bring down the speed limit. The Hawke government claims to be helping out with inquiries and extra funding, but who believes it?

The Hawke government talks about fighting unemployment. Whilst it is true that more people are in the work force, the standard of living has still dropped substantially and people who have entered the work force face ever-increasing costs for the basic necessities, particularly in terms of home purchase. The situation is becoming an absolute disaster for many people and they certainly do not regard it as a joke. It is interesting to look at interest rates. In the national press, all we hear about is interest rates on mortgages for first home buyers. We never hear about the difficulties which business houses face in terms of interest rates. A rate of 17% pales into insignificance when looked at in comparison with overdraft interest rates, and the leasing rates which hire purchase companies are charging at the moment. If he has an extremely good credit rating, the average businessman may be extremely lucky and get an overdraft interest rate somewhere in the region of 21% or 22%. The rate for hire purchase of plant and equipment is anything up to 29% or 30%. That is an incredible indictment of this country's management of its finances in respect of small businesses.

Small business is a very fragile area to work in. Even in good years in our national environment, there is a very high failure rate among small businesses because of the risks people have to take. With interest rates so high and worsening, small businesses are going down far too quickly. This country will be in a very sad and sorry position if failures in the small business community continue at their present rate.

Mr Collins: Kill the goose that lays the golden egg!

Mr FIRMIN: You are dead right. Mr Speaker, that interjection sums it up extremely well. There is very little opportunity for continued

employment if small business goes under. Small business is the backbone of this country, not the large business houses. The small businesses pay the majority of company taxes, not the larger companies. Of course, wage earners provide the bulk of the federal government's income, which it spends unwisely.

Mr COLLINS (Sadadeen): Mr Speaker, in answer to a question this morning, the Attorney-General invited me to speak about the United Nations Convention on the Rights of the Child. I am pleased that, in private conversation, he said that he would be prepared to take the matter up with his colleagues and, if they were agreeable, he would raise the matter in debate in this House, for which I thank him.

This situation is very worrying to many Australians and I will try to clarify its importance for members of this House. There are 2 conflicting viewpoints in relation to the convention. I have quite a large pile of material here. On the one hand, we have the human rights groups, led by Commissioner Brian Burdekin, saying that there is nothing to worry about, that parents will have reasonable control over their children, and that opposition to the convention is just scaremongering. He talks about a CHOGM communique in which all Commonwealth prime ministers say that the convention is worthwhile and should be signed. Other material indicates that various groups, including such organisations as UNICEF, the Uniting Church Social Responsibility Committee and so forth, say that it is marvellous.

There are other people who have had a look at it. This morning, the minister alluded to what should be of real concern to every member of this House. I refer to the fact that, if Australia becomes a signatory to this convention, that would effectively remove from the states of Australia their rights in this regard and cede them to the Commonwealth without referendum. It is a sneaky move. I understand that, if he so desire, Senator Evans could put his signature on the convention without ever having it debated. The control of our children would be removed from parents and ceded to the state, in our case to the Commonwealth.

I believe strongly that we have no right to cede our sovereignty to any other place. I have often said that the old adage that power corrupts and absolute power corrupts absolutely is the reason why I support the 3 tiers of government - local, state and federal - because each has a part of the power and none has the totality. I believe that it was politically very wise of Senator Evans to say that he would not sign unless the Attorneys-General of the states signed also. I suppose that is sharing the burden. However, I believe it places a pretty heavy burden on our Attorney-General.

I have copies of some of the papers which I may table for the information of members. Certain sections make it clear that we would be passing control of children to the state. I do not believe that any member here believes that is the way it should happen. Certainly, we all realise that parents who do not do the right thing by their children need to be checked, but that should be the responsibility of the Territory not of the United Nations. The people in the Northern Territory need to determine that balance. In the first instance, the power to control and raise children must lie with the parents. If they go over the fence, it must be up to a parliament elected by those parents to step in and protect the children. It is not our right in any way, shape or form to cede that power to the United Nations and to the courts of Australia. It is a sneaky move. It is similar to the World Heritage listings where something is listed and decisions about it are made by 5 people in the courts. That is not good enough. Such

matters must be in the hands of the people of Australia. If a government is too lenient or is not doing what the people want, they can change it at the ballot box.

Mr Ede: They will.

Mr COLLINS: I am delighted. I think the member for Stuart may regret that interjection. We certainly look forward to a change of government in Canberra.

Mr Ede: You were saying that power has to be here in the Territory. You said that we have to do it through this parliament. We will check the Hansard.

Mr COLLINS: Mr Speaker, it is not a matter on which we can bury our heads in the sand. There are arguments on both sides about what it means. However, one thing is certain. As we have seen with World Heritage listing, those 5 judges in our High Courts, who seem often to be somewhat political appointments, tend to interpret as they see fit. It is taking the power away from the people. My children are darned important to me and I believe that the children of all of my constituents are vitally important to them.

Because these matters can be interpreted in different ways, we should inform ourselves, have a lively debate on this issue and resolve whether our Attorney-General should or should not sign the convention on behalf of Territorians. At the least, the matter will have been aired. I thank the Attorney-General for promising to take it to his party for consideration. I trust that the government will examine the matter and gather all the information it can so that we can have a lively debate and provide some direction for the Attorney-General. He does not need to take this on his own head.

I fully realise that Senator Evans could go back on his word and, if he can persuade the other 6 Attorneys-General to sign it, not be stopped by the Northern Territory. However, at least we would have made our mark in support of the principle that we should not cede our sovereignty to anybody else but should retain the power where it belongs - in the local area, for the local people to have control of through the ballot box. We must not give it away to some foreign power such as the United Nations. I do not give a damn that 158 nations signed that communique or supported it in the United Nations or that every Prime Minister in the Commonwealth signed it. I believe that at least we should study the issues and debate whether we should support this convention or not.

Mr Speaker, I seek leave to table a number of papers.

Leave granted.

Mr COLLINS: One is a letter from George Turner BA, LLB. He is a barrister who points out that, despite the honeyed words in the Human Rights and Equal Opportunities Commission documents, this convention has the potential to remove sovereignty from the Northern Territory or the states of Australia.

I table also a leaflet relating to a public meeting held in Sydney's Lower Town Hall. Some of it is quite interesting. I understand that it attracted many people to the meeting and I will quote some of it:

Dear Mum and Dad,

I can do what I like, read what I like, watch what I like, say what I like and, unless it is criminal, you cannot stop me. I am in charge now. My teacher says so. Bob Hawke says so. The United Nations says so and I say so. Watch out or I will report you.

No doubt, that got a few people very interested. At that meeting, a resolution was passed. The following motion was passed with sustained applause:

That this meeting of Australian citizens:

1. calls upon the federal government to defer signing or progressing with the United Nations Convention on the Rights of the child;

2. calls for full public and parliamentary debate on all United Nations conventions;

3. reaffirms its loyalty to Australia and rejects allegiance to any power, e.g. the United Nations;

4. calls upon each and every state and federal member of parliament to also follow the 3 resolutions.

Mr Speaker, in fairness, I should seek leave to table also the documents from the Human Rights Commission.

Leave granted.

Mr COLLINS: In a nutshell, these papers relate to the issues involved and they should be of concern to each and every one of us.

I thank the Attorney-General for his indulgence. I was accused this morning of asking a dorothy dixer. It is a matter that is very dear to my heart and I provided my question to the Attorney-General in advance. I wanted a considered reply and I received that. I also wanted him to know that, if he meekly signed the document for Senator Evans, he would get a rocket from me in no uncertain terms. That is hardly the nature of a dorothy dixer. I thank the minister for his cooperation.

Mr EDE (Stuart): Mr Speaker, tonight I wish to express the grave concern of members on this side of the House about the management of the Northern Territory fisheries industry by the government through its responsible minister. As all honourable members are no doubt fully aware, the fishing industry plays an important part in the Territory's economy. Recreational fishing has established an important role in the tourist industry and professional fishermen bring in millions of dollars and many jobs in direct employment in the industry. The potential for increased down-line processing in Darwin is quite exciting.

Despite all this, I do not believe that there can be any doubt in anyone's mind that the honourable minister has consistently and persistently used every opportunity to create an atmosphere of division and conflict between amateur and professional fishermen. Damage caused by this orchestrated dispute is, we believe, to the detriment of all people within the industry. The minister has gained a reputation for this type of

approach, not least with the people who have taken him on in relation to issues affecting the buffalo industry and the pastoral industry generally. He makes no real effort to explore ground for conciliation. In fact, he works actively to undermine anyone who queries his decisions. As it was put to me the other day, he is more like a weasel than a bulldog.

The barramundi buy-back scheme has been the centre point of the minister's failure in his stewardship of the fishing section of his portfolio.

Mr VALE: A point of order, Mr Speaker! I find the member for Stuart's reference to my parliamentary colleague, the Minister for Primary Industry and Fisheries and Correctional Services, most offensive.

Members: Hear, hear!

Mr EDE: The weasel or the bulldog?

Mrs Padgham-Purich: He looks like a bulldog and they are nice.

Mr EDE: The point that was made to me was that the minister's style was more like that of a weasel than that of a bulldog. It is common practice to attribute to people in many walks of life the characteristics of various types of animal, and various types of animal have particular types of characteristics. We are not actually saying that he is a weasel, nor are we saying that he is actually a bulldog.

Mr SPEAKER: Order! There is no point of order.

Mr EDE: Thank you, Mr Speaker.

The barramundi buy-back scheme has been the centre point of this minister's failure in the stewardship of the fishing section of his portfolio. The scheme requires what I would call creative negotiation. The winding back of an existing industry for resource management reasons is a difficult policy area, and no one doubts that. However, difficult tasks are part of government and they must be worked through so the right decision is made for all Territorians. The minister has taken a sound idea and turned it into a disaster. It is an old habit of this government. The idea might have been all right but the implementation and management was a catastrophe. The buy-back scheme required full and detailed consultation, and long patient work and clarification, and it needed to be under constant review. It needed a degree of industry acceptance. It does not measure up on any of these criteria and, as a result, it hangs like an albatross around the neck of the development of successful management and husbandry of our barramundi resources.

I have watched federal ministers and ministers in other states handle difficult negotiations like these. They are scrupulous in consultation and implementation. This means that usually, at the end of the day, the desired policy outcome is achieved without too much grief, just a great deal of very hard work. This minister has not displayed that commitment or that finesse and, as a result, he will be embroiled in arguments on this matter for ever and a day.

This minister's actions have been guided by one clear thought, and I suspect only one, and that is that he has done the numbers. He believes that there are more votes in the amateur fishing area than among the professional fishermen. Of course, he is right - there are more amateur

fisherman than professionals. However, to adopt that consideration as the prime factor in the administration of a scheme exemplifies cynicism at its worst. It is that sort of attitude that leads to politicians having the sort of reputation that they now have in the community. It is far better for everyone involved, both amateur and professional fishermen, that decisions such as these be taken with a consideration of what is best for the Territory and the industry, rather than what is best for the re-election prospects of certain members of the CLP - not that anyone or anything can save them on the day.

Mr Perron: Got any commercial fishermen in your electorate?

Mr EDE: Mr Speaker, let me contrast the minister's actions with those of a group of people in Borroloola, on this very same question. Last year, people from a broad cross-section of the community established the Gulf Fisheries Advisory Council. It consists of amateur fishermen and professional fishermen. It has representatives from tourism and from government instrumentalities, such as the police and the Conservation Commission. It was established with the intention of avoiding conflict and seeking to resolve any questions related to the continued exploitation of the fishing resource in the Borroloola area. These people know that the questions of managing resources, people's livelihoods and the continued enjoyment by the public of the sport of barramundi fishing all require long-term planning and consultation. In that area, they are ensuring that, before the problems of resource losses hit their area, they will have a plan in place. They are taking the hard decisions now and, in an atmosphere of cooperation engendered by having talked through the issues, they are thrashing out those issues and displaying what this government so manifestly lacks: common sense.

The minister may say that his government established the Territory Fisheries Management Advisory Council on these lines. If that body has the trust of this government, why did the minister reject absolutely out of hand the motion this body passed as recently as December in relation to penalties? I am advised that this group, comprised of amateurs and professionals, unanimously advised the minister that no further penalties should be imposed on professional barramundi fishermen in 1990. Two weeks later, and against the advice not just of that group but of his own department, the minister closed the Roper River to professional barramundi fishing. I should add at this point that he did so without even speaking to the Gulf Fisheries Advisory Council, whose area will be logically affected by his decision. Given his style, however, that was to be expected.

The minister has ignored all communications from the Gulf Fisheries Advisory Council since its inception and responded only when it called an extraordinary meeting to discuss the Roper River closure. The minister failed to heed the advice of the Territory advisory body. He failed to heed the advice of his department. He failed to consult with the Gulf advisory body and then, to rub salt into the wound, he blamed the closure on the failure of professionals to flock to his failed buy-back scheme. Nice logic, Mr Speaker.

The minister has yet to wake up to the fact that Territorians are not fools. No matter how hard he tries to maintain a war of attrition between industry groups, sooner or later people will refuse to play that game. Undoubtedly, the minister realised that when the Gulf group was established. That probably explains why he ignored it, hoping that it would die on the vine. The minister must know that none of these issues will go away, and that the government does have to conceive and develop some

creative and well-thought-through policies on the future management of this Territory resource.

Mr Speaker, I do not want, in a matter of months or years, to have to come back into this House and go through the arduous, painful and soul-destroying task of having to catalogue for all Territorians the collapse of another of our primary industries. I have done that in respect of the buffalo industry. I have done it in respect of the pain and suffering which the Top End pastoral industry is going through. I do not want to have to come in here and do the same thing in respect of the barramundi industry.

Mr VALE: A point of order, Mr Speaker! I draw your attention to Order of the Day No 9 on the Notice Paper, a ministerial statement on the fishing industry. This matter is already before the House. Is the honourable member in order in debating it in the adjournment debate?

Mr SPEAKER: As the honourable Minister for Tourism would know, the adjournment debate is far reaching. It is a grievance debate and, whilst that statement is on the Notice Paper, I would ask the honourable member for Stuart not to refer to that particular item which is listed on the Notice Paper.

Mr EDE: Mr Speaker, I have no intention of referring to the detail of that statement. I have spoken in that debate and given my views on the issues addressed by the statement. As you know, Sir, the closure of the Roper River has occurred since that time.

Mr Speaker, I am sure that Territorians want to get this debate behind them. They want to have the barramundi industry as a resource which is capable of being used by professional and amateur fisherman. They want answers to these problems, and they want them worked out in such a way that people are not driven to the wall, as they have been by the minister's cavalier closure of the Roper River. As I said before, that was done against the advice of his own advisory group, the advice of his department and the advice of professional fishermen, and without any consultation whatsoever with the Gulf advisory group. It is a disgusting decision and the minister must review it.

Mr REED (Primary Industry and Fisheries): Mr Speaker, it was interesting to hear the member for Stuart expressing his concerns about primary industry. In fact, I rise tonight to address an issue associated with primary industry: the effect which the Kidman Springs/Jasper Gorge Land Claim may well have on the Victoria River Research Station.

Members may be aware that the Northern Territory government has lodged an application for special leave to appeal to the High Court over the Kidman Springs/Jasper Gorge Land Claim. That move follows the Federal Court's decision to uphold the Aboriginal Land Commissioner's finding that the Territory government will be liable to pay rent if it wishes to continue to operate the Victoria River Research Station when the land on which it is situated is granted as Aboriginal land. Tonight I want to pursue the consequences of that Federal Court decision.

However, before I do that, I would like to touch on a little of the history of the Victoria River Research Station. A decision to establish the station on some 314 km^2 of land which was then part of Victoria River Downs Station was taken in the early 1960s and, in 1965 I believe, the actual construction of facilities commenced. In the intervening 25 years, public

funds in excess of $2.2m have been spent there. Fences, airstrips, powerhouses, workshops, roadworks, houses and a range of other facilities have been put in place, resulting in a very high-quality research station which performs a very important task as far as the pastoral industry is concerned, not only for pastoralists in the Victoria River region but pastoralists throughout the Top End and, to a lesser extent, in other parts of the Northern Territory.

The activities undertaken at the research station include a wide range of research which has been under way since, I think, 1969 and has included the evaluation of such things as: pasture; cattle breeds; management of the land and cattle; feed supplementation and growth promotion; and range management, particularly landscape management. The effect of de-stocking and pasture introduction as aids to the regeneration of degraded pasture systems are important issues in these times when we are all very conscious of conservation matters, such as the amount of soil movement and loss through erosion processes and long-term observation to assess the effect of various grazing processes on vegetative changes. Necessarily, much of this work has to be undertaken over a very long period in order to evaluate effectively the changes which occur in soils, vegetation patterns and the like. The activities of the research station clearly impinge greatly upon the pastoral industry and provide a good deal of benefit to pastoralists from the point of view of their stock and land management.

It is with some concern that one finds that the recommendation made by the Aboriginal Land Commissioner should consider that the research station is not of particular community purpose, which means, of course, broader benefit to the general community. I find that a little surprising inasmuch as I would have thought that, if the research station were providing advice to pastoralists in relation to land and cattle management and if that research were applied on a very broad scale over large areas of the Northern Territory, it would necessarily be of benefit to the broader community. As I have already indicated, from the point of view of greater conservation awareness, the research work undertaken at the Victoria River Research Station will become more rather than less important.

In terms of the implications of the rent proposal, I was somewhat alarmed to find that the first bid put forward by the Northern Land Council was for rent of $70 000 a year. When one places that in the context of 314 km² of land and a traditional land claim, one cannot but help be somewhat cynical. As I have already indicated, the facilities have been paid for by the Australian taxpayer and are valued at over $2m. Now the taxpayer faces the prospect of having to pay rent to the tune of $70 000 a year. I just cannot see any equity in that at all.

If the members opposite are not concerned about such an action and do not think that such a proposal is inequitable, I would like to hear precisely what their views are. Certainly, I would like to know how the member for Stuart, the opposition spokesman on primary industry and fisheries, sees this research station fitting into the primary industry sector, particularly the cattle industry in the Northern Territory. I would like to know what role he believes it should play in the future in servicing the industry and whether or not he considers such a rent to be equitable and fair.

Mr Speaker, $70 000 is a considerable amount of money on its own. When added to the annual operational costs of the Victoria River Research Station, obviously it would comprise a substantial part of the facility's budget. Of course, the dollars have to come from somewhere and, sooner or

later, priorities have to be set. It is not unreasonable to imagine that the imposition of rents such as this might well endanger the future of the research station. I am sure that pastoralists in the Victoria River district and elsewhere in the Northern Territory would not be very happy with that prospect. At best, the payment of $70 000 for annual rent would have to come out of the department's budget. One would expect that that would have an effect on ongoing research programs at the Victoria River Research Station or Kidman Springs as it is known locally, or on other activities in the department's area.

This is a matter of great concern. Of course, it does not stop at the Victoria River Research Station. One can only wonder whether this may not be the first of many episodes to come. Is this what the opposition refers to so fondly as the thin end of the wedge? Do we face similar rentals for schools, police stations, roads, and utilities such as water and sewerage services on Aboriginal land? Is this a situation which the Territory and Australian taxpayer will have to face in future years? If that is the case, it is grossly inequitable. I see this as a terrible precedent which should not be borne by Territorians. It has been thrust upon them by Commonwealth legislation, which is equally inequitable.

The NLC has been particularly nasty in relation to its position on this matter. The Director of the Northern Land Council, Mr Ah Kit, made some gratuitous and degrading statements in relation to both the pastoral industry and the research station itself. In fact, he said that the Victoria River Research Station benefited only the government's pastoralist mates. I find that to be a particularly offensive remark, particularly in view of the fact that the pastoral industry in the Northern Territory contributes in excess of $150m to the Northern Territory economy. When the Director of the Northern Land Council makes remarks like that, he casts a slur not only on the pastoral industry but on all Territorians because, as I have said, the pastoral industry contributes significantly to the economy of the Northern Territory. Derisive remarks like that are, I believe, particularly un-Territorian.

I took offence also at comments made by the Director of the Northern Land Council in relation to a pioneer pastoralist who did much to establish the pastoral industry in the Northern Territory, Sir Sidney Kidman. I found those remarks to be offensive and not becoming of a Territorian, certainly not the sort of remarks one would expect to be directed at someone who committed so much time and money to the establishment of a pastoral industry in the Northern Territory and, indeed, elsewhere in Australia.

This week I have written to the MHR for the Northern Territory, Mr Warren Snowdon, in relation to this matter. I have sought his advice and assistance in relation to the possible imposition of $70 000 in rent for a public asset. I have asked particularly that the federal member make representations to the federal Minister for Aboriginal Affairs on behalf of all Territorians, especially those involved in the pastoral industry. I have asked Mr Snowdon whether or not he supports the Northern Land Council's approach in relation to the rent, whether or not he supports the decision made by the Aboriginal Land Commissioner, and whether he is prepared to stand up for Territorians by opposing this outrageous claim.

As well, I seek a response from honourable members opposite. The Leader of the Opposition is present although, sadly, the member for Stuart, the opposition spokesman on primary industry, is not. What is their position in relation to this matter? Do they find the situation as offensive as people in the pastoral industry and other people in the community find it? Do they

support a payment of $70 000 to a minority group in our society as rent for a public asset which has cost the taxpayer over $2.2m over a long period? I might add that that value does not include the enormous amount of money which has been committed to research programs at the station over many years, an amount which would make the total outlay of taxpayers' funds much more than $2.2m. I shudder to think what the total cost would have been over the years. Certainly, the commitment and service to the pastoral industry has been immense.

I ask where all this will end. What will happen if we are forced to pay $70 000 in rent for a public asset? I reinforce my challenge to the federal member, Warren Snowdon. Will he support Territorians in opposing this inequitable imposition? And will the Leader of the Opposition and the member for Stuart, the shadow minister for primary industry and fisheries, do likewise? I look forward to their responses, Mr Speaker.

Mr LANHUPUY (Arnhem): Mr Speaker, the former Chief Minister and member for Nightcliff would recall that he has been approached on many occasions by myself, the member for Nhulunbuy and various other people in relation to the assistance which the police aide at Galiwinku has required for some time. I raise this matter because that police aide has once again expressed his concern to me, saying that the community was given a police station or a lock-up cell, without a police car, at a cost of about $300 000. I remember the member for Nhulunbuy saying that the aide operates with only a motor bike and I again ask the Chief Minister, who is responsible for police matters, to give some support to police aides, who are doing a fantastic job.

In Galiwinku, during the last 2 or 3 weeks, police aides have had a bad time in relation to some offences committed by people who went to Darwin or Nhulunbuy and brought liquor back to the community. I urge the Chief Minister to look at the needs of police aides in communities and to give me a response in relation to the specific matter which I have raised.

I want also to comment on a visit made to Milingimbi by the Attorney-General on 1 November of last year, when a ceremony was held in relation to the granting of a sea closure application which had taken over 10 years to be successfully resolved. The Attorney-General attended the ceremony as Acting Chief Minister and I would like to place on record the fact that the people there appreciated his gesture. There was an exchange of gifts with the Territory government and the ceremony was a very emotional occasion for some of the people in attendance.

During the 10-year period, some people who gave evidence in the sea closure hearings had passed away. Of course, their families are still in the area and I would like to express my appreciation of the assistance which was given. The community certainly appreciated it. Most certainly it has helped some of those people living on outstations, who depend on resources from the sea.

Whilst I am on the subject of sea closures, I would like to mention another closure application which has just been made by the community at Galiwinku. It involves an area stretching from Howard Island up to Cape Wessel and then around to the Cape Wilberforce area. I was pleased to hear the Chief Minister indicate that he would be willing to negotiate with a group from the communities concerned so that the people could express their views on how best to resolve a very difficult situation. Certainly I would not like to see this application take 10 years to resolve because the cost is very high, not least of all to the Territory government and the taxpayer. The best approach would be through some sort of consultation.

Already the people at Galiwinku have looked around to find out who may be the best people to be involved in a committee so that we could sort out at least some of our differences at an early stage and, hopefully, plan together for a better management of our resources in the coastal areas. There is the possibility of assisting the Coastwatch surveillance people and the navy and the RAAF in monitoring any activities which may present a danger to the Australian community.

I am sure that the Chief Minister was very pleased that people put on a good show for him at a ceremony attended by well over 500 people. There was one concern, however, which I mentioned during the course of the ceremony. When the dancers went out to meet the Chief Minister and his deputy at the airport, I was reminded of a funeral procession. The dancers brought him back to a traditional ceremony involving a bigger group of people gathered on the office lawns. It reminded me of the death processions and ceremonies which happen in our communities.

Mr Perron: Handing the body over.

Mr LANHUPUY: As the honourable Chief Minister says, it was like handing a body from one group to another. I hope that it was not a bad omen for him.

Finally, I say that it is good to see that the Territory government is considering striking a much better relationship with Aboriginal people in relation to sea closures off Arnhem Land. We certainly appreciate it. I note also that discussions have commenced with some people in Nhulunbuy and Yirrkala in relation to the recreational use of Cape Arnhem. That is a good move. I hope that the Territory government keeps up this approach in relation to consultation on important matters. Once again, I stress that 30% of the Territory's population is Aboriginal. Too often, we hear screams from members on the other side of the House saying that we own 50% or 60% of the Territory's land. It is important, if we are to see this decade through, that we do so in a manner which will be beneficial to our community.

Mr SETTER (Jingili): Mr Speaker, earlier today I asked a question of the Minister for Education concerning the non-production of a handbook for the Northern Territory University this year. The minister responded and expressed some of his concerns. I understand that the matter will be resolved.

The university, as such, commenced as a full university virtually only 15 months ago. Quite obviously, the new university has experienced a few teething problems because it was the result of an amalgamation of the University College of the Northern Territory and the Darwin Institute of Technology. During this shakedown phase, the production of the handbook was, perhaps, one of the matters which was not addressed as well as it might have been. But what I would like to speak about tonight, is the university and its funding, or should I say its lack of funding, particularly from the Commonwealth.

There is no doubt that, in the Northern Territory, we have made enormous progress in education since self-government. Cast your mind back to the 1970s, Mr Speaker. I know that, when I came here, the community college had just opened. It was something very new because, prior to that, the highest level of education available in the Northern Territory was secondary education. The community college provided the opportunity to proceed further down that educational path.

Not too long after that, regrettably, what there was of the community college was destroyed by Cyclone Tracy. It was rebuilt in succeeding years. It went on to grow and develop, and eventually became the Darwin Institute of Technology, which offered a limited range of tertiary courses. Those tertiary courses represented a further step in the educational ladder in the Territory because, as we all know, prior to that time, if we wanted to provide tertiary education for our children, we had to send them south. The cost of that was enormous, not just in financial terms but also in family terms. It involved separation of the family as children went south, not just for 1 year but, in many cases, for several years. Often, those children never returned, having completed their education and gone on to find jobs in the south where they pursued their professions. That talent was lost to the Northern Territory for ever. This government has tried to turn that trend around, and we are succeeding. We will continue to turn it around, but with no support whatsoever from the members of the opposition in this House or their federal colleagues. At least, that has been the case until very recently.

In 1984, the Northern Territory government made application to the Commonwealth for the funding of a full university in the Northern Territory. That application was rejected outright. The federal government did not want to know us until 1991. We were told to pack our bags and go back to the Northern Territory until 1991, when the Commonwealth would talk to us and think about it. In August 1985, the Northern Territory government established the University College of the Northern Territory with the support of the University of Queensland. That institution was fully funded by the Northern Territory government. I seem to recall that it cost about $12m in its first year, comprising roughly $6m in capital expenditure to establish infrastructure at Myilly Point and a further $7m for the actual operation of the university. At that time, there was quite a furore, and do you know what the Commonwealth offered us, Mr Speaker? It offered 20 funded positions at the Darwin Institute of Technology.

The initial enrolment at the University College was 20, and I understand that the enrolment is now about 1700. It must be remembered, though, that we are talking about a differential institution. We are talking about an amalgamated institution. Let me quote to you, Mr Speaker, from some of the comments made by the Leader of the Opposition in those heady days. On 21 October 1986 he said: 'There is no logical reason for establishing the University College at Myilly Point'. Look at it today, Mr Speaker.

Mr Bell: It is still true.

Mr SETTER: It is not true.

Mr Bell: It is.

Mr SETTER: It is not true at all. You go and ask the hundreds and perhaps thousands of students who have been through that place.

Mr Bell: They would rather have been at Casuarina.

Mr SETTER: Had it not been for the initiative of this government in getting off its butt and doing something about it, they would not have had the opportunity to obtain that higher education. We would have been putting up with the 20 positions at the DIT which the members opposite wanted us to accept in those days.

Mr Speaker, let us reflect on what Senator Susan Ryan said on 20 February 1987, when she was Minister for Education. These are not her actual words, but this is the thrust of what she said as reported on a news bulletin: 'The Commonwealth Education Minister, Senator Susan Ryan, today described the Northern Territory University College as an act of total extravagance by the Northern Territory government'. That is what the federal minister thought about the Northern Territory government's ...

Mr Collins: Where is she today?

Mr SETTER: Exactly, where is she? But that is what she thought about the Northern Territory government's initiative in establishing the University College. I have told honourable members what the Leader of the Opposition thought about it as well, and his position has not changed much at all. Then, just to rub a little salt into the wound in a spirit of vindictiveness, the Commonwealth refused to grant Austudy and Abstudy to students at the university college. Those students were penalised. Because they wanted to attend the University College of the Northern Territory in order to further their education, they were refused those 2 supporting benefits which were available to every other student in Australia who met the appropriate criteria. Those benefits were refused to students in the Northern Territory. It was an absolute disgrace, but we were not deterred.

In 1988, the Northern Territory University College amalgamated with the Darwin Institute of Technology and, as I indicated earlier, it opened its doors in about February of that year. Part of the deal, part of the pressure that was applied to us to amalgamate those 2 organisations and form a university, was the offer of funding from the Commonwealth, something which we had been seeking for quite a long time. The federal government entered the scene, dangling this bait and offering some funding to us. Even today, however, our university does not have full funding. That is despite the fact that it is the Commonwealth's responsibility to fund tertiary education throughout this country. Everywhere else it fully funds tertiary education. In the current educational year, the Northern Territory will still fund the university to the tune of about $7m of Northern Territory taxpayers' money.

The Commonwealth, I understand, is refusing fully to fund the university until the enrolment level reaches around 5000. Of course, that will take quite a long time. I mentioned that the present enrolment is 1700 to 1800. It is estimated that, by the time we reach that figure of 5000, the Territory government will have foregone something like $60m in funding from the Commonwealth, funding to which it is entitled. The current federal government - and let us hope and pray that in a few weeks time it will no longer hold office - has refused to grant full funding to the Northern Territory University. However, the situation is even worse than that. It is normal practice for the Commonwealth to supply universities around this country with research funding. It is quite a common practice. Has the Northern Territory University received new research funding? No, Sir. What is the situation elsewhere? I will give an example. I quote from an address by Hon J.S. Dawkins, MP, Minister for Employment, Education and Training, delivered at a graduation ceremony at the James Cook University of North Queensland on 13 May 1989. The minister said:

> As part of the government's policy on science and technology for Australia, I announce new initiatives and directions for research in Australia's colleges, universities and institutes of technology.

He went on to say:

> Research has a major role to play in attaining both immediate and long-term national goals. The major part of Australia's basic research effort comes from within the higher education system. This function must continue and prosper. The government has therefore announced detailed plans to support and strengthen research activity. The Research for Australia package delivers an extraordinary level of additional resources to the higher education research community. Almost $1000m will be allocated on the advice of the Australian Research Council over the next 5 years.
>
> As early as 1992, funding through the Research Council for research and research training will exceed $200m per annum, more than doubling the current level of resources. This will be achieved by continuing the transfer of funds from institutional grants to the Research Council but, more importantly, by a major injection of new funds for the system. Over the 1990-1992 triennium, this amounts to an extra $138.4m.

Mr Speaker, the University of the Northern Territory will not receive one lousy dollar of that money.

We have not seen Mr Dawkins up this way for quite a long time. In fact, I cannot recall when he was up here last. On 21 March 1990, in about 4 weeks time, who is to pay us a visit? Hon John Dawkins, the federal Minister for Education! Why is he coming here? He is coming to open the administration block at the Casuarina campus of the Northern Territory University. Mind you, the doors of that particular administration block have been open for 15 months. However, a mere 3 days before a federal election, the federal minister will turn up on our doorstep in an effort to gain a little positive media coverage. I can tell you, Mr Speaker, that he will not receive a very warm welcome from Territorians because, if ever I saw pork-barrelling, that is it. I am quite sure that the media will wake up to that and expose his little visit to the Northern Territory for the sham that it obviously is.

Mr SMITH (Opposition Leader): Mr Speaker, in the past few months, many people have expressed to me concerns about the negative perceptions of women held by this government and, particularly, by the Chief Minister. Such concerns have been aptly demonstrated in a series of recent events and comments.

The Chief Minister's attitude towards women and women's issues became evident very early in his reign, when he refused to appoint a Women's Advisor. Of course, that was a matter of some controversy at the time. It was a further illustration of the Chief Minister's attitudes and interests in issues of particular concern to women that it took him some months to find someone to take up the position of Convenor of the Women's Advisory Council. It was a further indication of his attitude towards women that it took him about 6 or 7 attempts, if not more, actually to find someone who was prepared to take the position on. When asked questions about the new convenor and who she was, the Chief Minister again flagged his attitude towards women. I will quote the conversation pretty much word for word:

> Chief Minister: I am pleased to tell you that I have found someone to be the convenor of the council.
>
> Question: Well, who is she?
>
> Chief Minister: She is the Harbourmaster's wife.

Question: But who is she?

Chief Minister: Well, she is studying for a higher degree.

Question: Yes, but can you tell us a bit about her?

Chief Minister: She has 2 children.

Question: What else do you know about her?

Chief Minister: Well, I cannot tell you much more, just that she is a nice lady and she lives at Larrakeyah.

Mr Speaker, that is offensive to and dismissive of women, whose greatest interest in following those questions and answers was not to hear whether Mrs Wilson was a nice lady but of her background and her commitment to women's affairs. That was why the questions were asked. It is indicative of the Chief Minister's attitude to women in the Northern Territory that he did not have the wit to realise that and instead described her as 'the Harbourmaster's wife'.

This inauspicious beginning for Mrs Wilson as the Convenor of the Women's Advisory Council has not been improved on over time. Concern and anger has been evident amongst women throughout the Northern Territory as no public comment has been forthcoming about a number of important and recent events. There is increasing suspicion that the council exists only to report to the Chief Minister and sees for itself no role in representing the views of women in the community. At least, I should say, there is increasing suspicion that that is the Chief Minister's view and the convenor's view. Certainly, I know that some members of the Women's Advisory Council are most frustrated, upset and angry about the attitude taken by the Chief Minister and the convenor, and I understand that that is a factor which the Chief Minister knows a great deal about.

Serious questions need to be asked about the membership of the council and how representative it is of Territory women. Where on the council are the representatives of women in trade unions, of our youth and of the multicultural groups in the community?

Mr Perron: It has younger women on it now than it has ever had.

Mr SMITH: Mr Speaker, what are people to think when the convenor comments that women are sometimes their own worst enemies, as she recently did? Is that an example of the quality of analysis given to issues and on which advice to the Chief Minister is based?

When asked to comment on the apparently lenient sentences imposed on the young man who sexually assaulted 2 women tourists near Alice Springs, the convenor chose not to comment. I would have thought that women in the community deserved a comment from the Convenor of the Women's Advisory Council on that issue. That was an extraordinary lack of response, given that her comment was sought at the launching of the council's domestic violence video in Alice Springs. All was not lost, however, and it did not pass unnoticed that the convenor made some private remarks on that sentencing issue. It is indeed fortunate for the Chief Minister that the convenor's remarks have not been made public. There is also considerable disquiet about the ...

Mr Perron: Are you going to make them public?

Mr SMITH: No, I am not.

A member: Why not?

Mr SMITH: Because, frankly, they are quite disgraceful comments.

Mr Perron: A bit of selective reporting.

Mr SMITH: If you want me to cause you that embarrassment ...

Mr Perron: No, you will not cause me any embarrassment.

Mr SMITH: I am happy to think about it.

Mr Speaker, there was also considerable disquiet among women in the community about the treatment of women at the Trade Development Zone and about the failure of the Women's Advisory Council to acknowledge these women. Many of the matters investigated concern not only work-related issues but the rights of these workers as women. The human rights infringements involving exploitation and restrictions on their freedom would not have occurred with a similar group of young men. Requirements for the women to live in crowded circumstances with no privacy, to be subject to a curfew, to have their lights out at an appointed time and the monitoring of their compliance with these requirements is an outrage and should have been the subject of comment by an independent and effective Women's Advisory Council.

No response has been received from the Women's Advisory Council on the controls imposed on the women's sexual behaviour, indeed on their bodies, under this regime. It is immensely insulting that, throughout the coverage of this topic, this government's attitude to women has been so eloquently expressed by the Deputy Chief Minister's continuing references to the women concerned as 'girls'. Of course, that is why the Deputy Chief Minister is turning to conspiracy theories. He does not believe that a person who happens to be both Chinese and a woman can have the wit and the intelligence to want to get herself out of the disgraceful conditions which have prevailed in the zone. It has to be a conspiracy involving other people. That little example in itself, the constant reference of the Deputy Chief Minister to the 'girls' at the Trade Development Zone - the women at the Trade Development Zone happen to be between 21 and 25 - sums up very clearly the attitude of this government to these particular matters.

It is apparent to everyone that the failure of the Women's Advisory Council to be involved on behalf of women is indicative of serious ideological and procedural problems in the council which the Chief Minister has consistently failed to address. If the Chief Minister had a Women's Advisor, he would have had access to some useful advice on an appropriate appointment to the role of convenor.

Mr Perron: I have heaps of them.

Mr SMITH: As it is, the most common response to any reference to the convenor is: 'Who is she?'

Jobs for the girls is not what women in the Northern Territory want, and they are fed up with the erosion of a number of previous initiatives which gave them a voice under previous Chief Ministers. Indeed, one is left with the conclusion that the Chief Minister is not serious about getting advice from women about women. There is a very strong rumour indeed that the

Director of the Office of Women's Affairs is so disgusted with the situation that she will not be coming back to her job when she is supposed to return from leave.

It would have been wise for the Chief Minister to remember reactions from women across the political spectrum when he chose not to reappoint a Women's Advisor. However, I guess our side of the House should congratulate the Chief Minister on his ineptitude. He had done us a great favour because he has put women's politics back on the agenda in the Northern Territory. Many women are demanding to have their concerns heard and addressed. I applaud the revival of political activity among women in the Northern Territory. I take this opportunity to reiterate the commitment of a Labor government to women in the Northern Territory and to reiterate the commitment to establish an Office of Women's Affairs in the Department of the Chief Minister to ensure that the concerns of women under a Labor government in the Northern Territory are heard, and heard for the first time in a very long time.

Mr FLOREANI (Flynn): Mr Deputy Speaker, I would like to discuss 2 issues in tonight's adjournment debate. The first relates to a pamphlet I picked up at a small store in Alice Springs which concentrates on solar power. The proprietor explained to me that there appeared to be no incentives in the Northern Territory for people to become involved with solar power. He pointed out a small pamphlet relating to a power system which people in outback and remote communities might be able to use to supply their total power requirements. It is in the form of batteries which have been promoted by a particular company.

One of the aspects that I found most interesting was that a 50% government grant is available to residents of New South Wales if they switch to solar power. In today's debate, we heard about issues of conservation and so on, and I believe this idea might be one that the government could consider. More particularly, as well as solar power, we appear to have an abundance of natural gas. We all acknowledge that, if our usage of natural gas goes up in the long term, electricity rates for all Territorians might come down in price. If we could provide grants or incentives for people to convert to gas, I believe that might be a very positive encouragement. If the Minister for Industries and Development is interested in this pamphlet, I will be happy to provide it to him.

The other matter that I would like to raise tonight might be of interest to the Treasurer. It concerns the report that was tabled this week by the Office of the Auditor-General, and that is the Report Upon Public Sector Corporations for the year ended 30 June 1989. The report is signed by E.M. Isaacson, our Auditor-General. I believe it is well worth reading what is said at page 3 under the heading 'Corporations Not Reporting to the Legislative Assembly'.

Mr Bell: Which ones were you thinking of, Enzo?

Mr FLOREANI: You will know in a minute. The text under that heading reads as follows:

> Of concern is the fact that some corporations such as those managing tourism infrastructure support are not required to report on financial operations to the Legislative Assembly. In respect of these entities there is no requirement for the Auditor-General to have any knowledge of their operations and thus he cannot assist the Legislative Assembly.

> Conclusions drawn in the annual report were that it may be timely in respect of all corporations to: (a) establish appropriate accountability arrangements within the legislative framework; and, (b) summarise the key financial information of the corporate arm as a whole for annual presentation to the Legislative Assembly.

The Auditor-General then goes on to say:

> The following recommendation to the Legislative Assembly was contained in the annual report: that a review be undertaken as to the adequacy or otherwise of the accountability and reporting arrangements which exist in respect of government-owned companies, corporations, trusts, etc. The review should include consideration of such aspects as: (a) the processes for the creation or acquisition of such entities; (b) statutory reporting requirements; and (c) whether the Auditor-General should have an involvement in the audit functions of such entities.

In a nutshell, the way I see that is that the Northern Territory government, with Northern Territory taxpayers' funds, has organised companies, corporations and trusts which are not required to report to the Legislative Assembly. We do not know what level of funds are involved, how the funds are used and who is accountable for their use. I believe quite seriously that the Treasurer should explain to this Assembly why such reports are not presented to the Assembly and what he intends to do about the recommendation of the Auditor-General. For example, over the years, I have heard that the authorities at Yulara are an authority unto themselves. They are not accountable to anyone, and they act accordingly. I have been told about the situation in relation to tenders. There appear to be no government-type regulations in terms of the tenders which are accepted there. I would be most interested to hear the Treasurer's reaction to this recommendation. I think it is something that we should look into as an Assembly. Public funds are being used and apparently there is no public scrutiny of how they are used.

Mr BELL (MacDonnell): Mr Deputy Speaker, let me briefly follow on from the comments made by the member for Flynn to add my own observations and perhaps fill him in on one of the aspects of public debate in this regard. I undertake to provide to the member for Flynn not only my questions on notice to the Minister for Industries and Development but also the extraordinary letter which I received recently from him, a letter which is both contemptuous and contemptible.

Honourable members may recall that, in the committee sessions of debate on the Appropriation Bill last year, the minister refused point blank to discuss any aspects of the financial dealings of the Yulara Corporation. Subsequently, I placed a question on notice in respect of those dealings, and, once more, I was told that I would be informed in nowise about what it was up to. But when I asked generally about the relationship between the Northern Territory government and the Sheraton Hotels, I was told that there was no direct relationship between Investnorth Pty Ltd and the Sheraton Hotels.

I read the answer to the question on notice with some interest because I had received representations from a contractor to the Alice Springs Sheraton Hotel and, maintaining the confidentiality of the person who had made those representations to me, I provided a copy of the substance of those representations. The contractor to the Alice Springs Sheraton Hotel had been paid with a cheque written on an Investnorth Pty Ltd account. A

direct contradiction is involved here. On one hand, I have the Minister for Industries and Development telling me that Investnorth paid no bills for these hotels and, on the other hand, there is this cheque. When I drew to the minister's attention the fact that there was a clear conflict between the 2 answers he had given me, I received a letter which clearly sprang from a guilty mind. For a start, it did not answer the question and, secondly, it went on to provide a great diatribe of abuse of myself and the Leader of the Opposition.

In that context, I read the report from the Auditor-General with some interest, and suffice it to say that, like the member for Flynn, I will be pursuing with the government the recommendation to which he referred.

The Northern Territory tourism development plan, Towards the Year 2000, a report prepared by Peat Marwick Hungerfords for the Northern Territory Tourist Commission in January 1989, gives a variety of details about the future of tourism in the Territory, and a valuable report it is. Unfortunately for the Minister for Tourism, it flies in the face of what he has been reported as saying on the ABC news today and, in fact, what he said in this House today. In the most extreme terms, he criticised the possibility of constraint on visitor numbers.

Mr Vale: I did not. Parks and Wildlife did.

Mr BELL: Let me deal with one question which he raised. He said that there were no international precedents for restricting numbers in national parks or tourist facilities. He stated a very strong case, as I think you will recall, Mr Deputy Speaker. I just remind the Minister for Tourism that national parks in the United States are subject to limitations on visitor numbers. For example, there are limitations in the Grand Canyon National Park and, indeed, one has to book ahead to visit particular parts of it. I suggest that the honourable minister use the resources available to him, extensive as they are, to inform himself of the facts so that when he contributes to debate in this Assembly he can do so on an informed basis. I further suggest that, when the honourable minister ...

Mr VALE: A point of order, Mr Deputy Speaker! The member for MacDonnell had the same chance as everyone else had to debate this issue this morning. He is regurgitating the debate.

Mr Bell: Sit down. You are wasting your time and you are wasting my time.

Mr DEPUTY SPEAKER: Order! The member for MacDonnell is reminded that he should not debate a matter which has been before the House this morning.

Mr BELL: Mr Deputy Speaker, I am simply making comment on an ABC news item which quoted the Minister for Tourism. I am seeking to draw his attention to this Peat Marwick Hungerfords report to the Tourist Commission, for which he is responsible, and I draw his attention particularly to the section of that report ...

Mr DEPUTY SPEAKER: Order! I find that the honourable member is reviving the debate and, under standing orders, he is not permitted to do that.

Mr BELL: Mr Deputy Speaker, I seek your guidance. To my knowledge, the Peat Marwick Hungerfords report has not been the subject of debate today.

Mr DEPUTY SPEAKER: The issue which the honourable member is discussing was the subject of debate this morning. Perhaps he could raise the matter at the next sittings.

Mr BELL: Let me turn to another subject, Mr Deputy Speaker. I always read the minutes of meetings of the Alice Springs Town Council with interest and I take note of particular issues. In respect of the introduction of ASBUS, which I believe is a valuable service, I was surprised to note that the fare structure was the subject of debate in the town council in August last year. I want to advise members of an anomaly in respect of that fare structure.

On 2 occasions, I have attempted to draw the attention of the town council to this anomaly and I am yet to receive any satisfaction. I would be interested to hear the response of the Minister for Transport and Works. I am informed by officers of the town council that the fare structure is subject to an agreement between the minister and the council. It contains an anomaly of significance for families, in that children are required to pay more than concessional fares. Concessional fares are 30¢ for pensioners, unemployed people etc. The fares for children are half fares. For example, for travelling over 3 zones, a child's fare would be 70¢ whereas a concessional fare would be 30¢. Thus, a single parent, for example, would pay 30¢ to travel over those 3 zones and $1.40 for a couple of kids. I am sure that the minister will perceive the anomaly there. I trust that it will be addressed by him. In fact, I wrote to the Mayor in respect of these concessional fares. There was a slight problem in that the concession for students in Alice Springs has not been able to be arranged because the Department of Education is maintaining its own bus system in the town. It is a matter of concern to me that children are paying more than pensioners and unemployed people.

Mr Poole: It has all been fixed.

Mr BELL: I note the interjection from the member for Araluen and I would be pleased if he would give the Assembly some advice in that regard.

I have received a further letter from the Mayor of Alice Springs, and I am still not satisfied that the anomaly has been addressed but, if the member for Araluen or the Minister for Transport and Works has more information, I would very much appreciate hearing it.

Mr TUXWORTH (Barkly): Mr Deputy Speaker, I rise tonight to place on record my gratification at the recent acknowledgement in the Australia Day honours that Bill Fullwood has been awarded the Order of Australia. It is not often that community-based people are acknowledged in the honours list on the Queen's Birthday or Australia Day. On this particular occasion, I cannot think of anybody who is more worthy and deserving of such an honour, and I would like to place on the public record a few of the facts about Bill Fullwood which really brought his nomination to the attention of the powers that be.

Bill Fullwood came to Tennant Creek in 1947 and has lived continuously in the town from that time. Like many others in Tennant, Bill is an asthmatic. He finds that his asthma become severe if he moves away from the Centre to the coastal areas and therefore his confinement has not been a labour to him in any way at all. He has worked as a gouger. He worked at the Eldorado Mine when it was operating in the 1940s and 1950s and he also worked at the Nobles Nob Mine. However, his real forte has been his continuing community activity.

I think it is fair to say that, without Bill Fullwood's interest, the St John Ambulance brigade as we know it in Tennant Creek today, would not exist. In fact, in the 1950s, Bill Fullwood and a few other people in the community set up a first aid group to provide assistance to people in the area who were in need of it, particularly people injured in road accidents. The first aid group operated with the support of the community and without any acknowledgement from St John for quite some time.

When the Queen and Prince Philip visited Tennant Creek, Bill Fullwood and other members of the first aid group were introduced to Prince Philip who inquired why they did not have the St John insignia on their uniforms. Bill told Prince Philip that they were not acknowledged or recognised in any way by St John Ambulance. He explained that they were just doing their own thing as best they could, but that in effect they followed the St John charter. It was only a matter of weeks before officers of the Order of St John came to Tennant Creek and formally recognised the first aid group. From that small beginning, a centre was built for the ambulance. Mr Fullwood played a very important role in the establishment of the centre because it was built mainly by community labour.

Bill Fullwood's work for the elderly and the handicapped in the town is legend. In fact, just about everybody in Tennant Creek over the age of 60 would have had some job done around their home or on their car by Bill Fullwood. He is the type of fellow who has tireless energy and always has a moment to come around and fix a little problem, whether it is a leaking tap or a flat battery in your car. In recent years, he has earned himself considerable acclaim for the time and effort that he has put into assisting the handicapped people of Tennant Creek, particularly those who have been helped and accommodated by the Fullwood Centre. Another recognition of the work that Bill Fullwood has done in the town is the naming of that centre after him.

Bill Fullwood has been a full-time supporter of the Tourist Promotion Association and, in his own way, does a great deal of work towards promoting Tennant Creek. He has been a very prominent figure as one of the Friends of the Tennant Creek 7-Mile Station and has put in a considerable amount of time out there.

In his spare time and - I might say that he does not have much of it - Bill Fullwood reads bulletins in the local Northern Territory newspapers on to tape so that blind people in the town are able to have some idea of the events which are being reported. In addition, for many years, he has repaired toys for those children in the community who do not get a lot of toys for one reason or another and really need those that they have because there will not be any more. Bill Fullwood is one of those good Samaritans who has always been able to find the time to take toys home to his workshop and to put the time and effort into repairing them for children.

Mr Deputy Speaker, in his own way Bill Fullwood is quite a musical genius. He plays no less than 8 musical instruments and, in his early days, he taught music to children in the town. He taught them to play by ear because he cannot read music himself. He can only play instruments, and he has done so for many years. Whilst the people who learnt music from him in the early days have to play their music by ear, in recent times formal music lessons have come to the town and children have another way of learning. However, Bill Fullwood played a tremendous role in assisting children in those times.

Bill Fullwood was a foundation member of the Tennant Creek Folk Club and continues to be a very supportive member. The Tennant Creek Folk Club is pretty well known all over the Northern Territory for its style and achievements. Bill Fullwood has been instrumental not only in setting up the club but in promoting folk music and Australian music over the years.

To be fair to Mr Fullwood, I must say too that one of his great achievements and attributes over the years has been the support he has given to his good wife Marjorie Fullwood. Mrs Fullwood was a Girl Guide officer and instructor in her own right for nearly 25 consecutive years. I might say that the Fullwoods have no children, or certainly no children of the age at which they would be attending Girl Guides. Mrs Fullwood, who gave up much of her time and family life to assist the Girl Guides of Tennant Creek, also played a very prominent role as the secretary of the CWA for an unbelievable period. In fact, I believe that was also 15 or 20 years. In all the years during which his good wife was working for the community, Bill Fullwood was standing behind her and providing support and assistance for the things which she has done for the town in her own way.

I do not often get a chance to rise and say thank you to somebody who has served the community as Bill Fullwood has, but tonight I gain a great deal of pleasure from publicly putting on the record my gratitude, and the thanks of many Tennant Creek people, to Bill Fullwood in particular, and to his wife, who has been a great support to him, for the work that he has done for the community and for the assistance that he has offered to so many people over such a long period of time. In Tennant Creek, we have truly been blessed by the presence of the man, and I sincerely hope that his years on this earth will continue for some time yet, even though he is no chicken at this stage.

Mr Deputy Speaker, I will be making a formal approach to the Administrator in relation to the presentation of Mr Fullwood's award. I am hopeful that the award might be presented to Mr Fullwood in Tennant Creek rather than at Government House. It is not so much a case of taking the award to Tennant as of minimising inconvenience to Mr Fullwood, whose asthma problems occasion discomfort if he has to leave Tennant Creek and move towards the sea. On this occasion, I believe that the people of Tennant Creek will be overjoyed if their nominee for this Australia Day Award of the Order of Australia can receive his award in Tennant Creek.

Mr PALMER (Karama): Mr Deputy Speaker, I rise briefly tonight to provide some elucidation for the member for Flynn.

In his speech in tonight's adjournment debate, the honourable member referred to the Auditor-General's report recently placed on our desks and entitled 'Report Upon Public Sector Corporations'. If, in his vigour and drive to inform himself about the Government Accounting System of the Northern Territory, the honourable member had paid even scant attention to the proceedings of this House last year, he would have been aware of a motion put to the House by the member for Nhulunbuy in relation to this very recommendation.

Mr Deputy Speaker, in his recent report the Auditor-General says: 'The following recommendation of the Legislative Assembly was contained in the Annual Report'. The Assembly, with some minor amendments, accepted the member for Nhulunbuy's motion that the matter be referred to the Public Accounts Committee and, indeed, it has been before the Public Accounts Committee since 18 October last year. Whilst I do not mind members opposite criticising the government and asking honourable ministers questions about

their actions on specific matters, I would have thought that the member for Flynn might have been aware that the exact matter which he raised had been referred to the Public Accounts Committee.

Members interjecting.

Mr PALMER: I will check. Also, Mr Deputy Speaker ...

A member interjecting.

Mr PALMER: No, no.

Mr Hatton: It was not a division, was it?

Mr PALMER. Yes, there was a division. It is here. Mr Deputy Speaker, I apologise for berating the honourable member for Flynn. In fact, the Hansard record indicates that he was not present during the debate.

Mr Perron: He was not in the House.

Mr PALMER: No, he was not in the House.

I want to make another minor point as far as the source of funds for these public sector corporations is concerned. They are indeed voted by this very Assembly. If the member for Flynn has any concerns about them, he is entitled to take them up with the responsible minister during the committee stage of the budget debate. However, I can assure him that work by the Public Accounts Committee is proceeding and a report ...

Mr Floreani: You had better talk to the Auditor-General about it.

Mr PALMER: The Auditor-General knows about it. The Auditor-General made mention of it in this.

Mr Deputy Speaker, I assure the member for Flynn that, in due course, a report will be placed before this Assembly on that very subject.

Motion agreed to; the Assembly adjourned.

Mr Speaker Dondas took the Chair at 10 am.

MESSAGE FROM THE ADMINISTRATOR

Mr SPEAKER: Honourable members, I have received message No 11 from His Honour the Administrator:

> I, James Henry Muirhead, the Administrator of the Northern Territory of Australia, in pursuance of section 11 of the Northern Territory (Self-Government) Act 1978 of the Commonwealth, recommend to the Legislative Assembly a bill for an act to regulate or prohibit the manufacture, sale, distribution, use, recycling, storage and disposal of certain substances believed to deplete stratospheric ozone and of articles which contain those substances, and for other purposes and which in part make provision for the payment of compensation from the Consolidated Fund.
>
> Dated 27 February 1990
> J.H. Muirhead
> Administrator.

MESSAGE FROM THE ADMINISTRATOR

Mr SPEAKER: Honourable members, I have received message No 12 from His Honour the Administrator:

> I, James Henry Muirhead, the Administrator of the Northern Territory of Australia, in pursuance of section 11 of the Northern Territory (Self-Government) Act 1978 of the Commonwealth, recommend to the Legislative Assembly a bill for an act to provide for the appointment of a Director of Public Prosecutions, and for other purposes and which in part make provision for any pension or any other moneys payable to the Director of Public Prosecutions to be appropriated from the Consolidated Fund.
>
> Dated 27 February 1990.
> J.H. Muirhead
> Administrator.

PETITION
Electric Shock Treatment of Psychiatric Patients

Mr PALMER (Karama)(by leave): Mr Speaker, I present a petition from 223 residents of the Northern Territory relating to the electric shock treatment of psychiatric patients. The petition does not bear the Clerk's certificate as it does not conform with the requirements of standing orders. I move that the petition be read.

Motion agreed to; petition read:

> To the honourable Chief Minister and members of the Legislative Assembly in parliament assembled, the humble petition of the undersigned residents of the Northern Territory respectfully showeth that, under the current Mental Health Act, psychiatrists in the Northern Territory give electric shock treatment to psychiatric patients. There is no sufficient scientific evidence to support the use of electric shock treatment (or ECT), the dangers created by the side effects being brain damage caused by pinpoint haemorrhaging, acute memory loss, headaches and confusion, many of these side

effects causing irreversible damage. Your petitioners therefore pray that your honourable House will amend the Mental Health Act to ban electric shock treatment, therefore affording the people of the Northern Territory the right to be free of inhumane treatment in the field of mental health, and your petitioners in duty bound will ever pray.

MOTION
Discharge of Bill from Notice Paper

Mr MANZIE (Attorney-General): Mr Speaker, I move that Government Business Order of the Day No 3 relating to the Listening Devices Bill (Serial 158) be discharged from the Notice Paper. In so moving, I advise honourable members that I will be giving notice of a bill to replace this bill.

Motion agreed to.

TABLED PAPERS

Mr HARRIS (Education): Mr Speaker, during the course of question time, I was asked to table 3 letters. I table the Angurugu Community Education Centre letter, a letter from the Alyangula Area School and a letter from the Umbakumba School, as requested.

TABLED PAPER
National Committee on Violence
Final Report

Mr PERRON (Chief Minister): Mr Speaker, I table the final report of the National Committee on Violence, and seek leave to make a statement in support of it.

Leave granted.

STATEMENT
National Committee on Violence
Final Report

Mr PERRON (Chief Minister): Mr Speaker, this committee was established in October 1988 as a result of a joint agreement reached between the Prime Minister, the state Premiers and the Chief Minister of the Northern Territory in December 1987. The work of the committee was jointly funded by the Commonwealth, state and Northern Territory governments, and the Territory was represented on the committee by the Commissioner of Police, Mr Palmer. The committee held meetings and public forums in all capital cities and at various other locations, including Alice Springs, Milikapiti, Yuendumu and Papunya. I, the Leader of the Opposition and many other Territorians took the opportunity to address the committee at its public forum.

The final report is a readable and well-researched document which embodies the committee's findings and consolidates the results of numerous studies of violence undertaken to date. It is in 3 parts. The first part identifies the state of violence in Australia and assesses its incidence and prevalence. The second part examines the causes of violence and the third part deals with strategies for preventing it. In all, there are 138 recommendations, many of them directed at non-government institutions.

It will come as no surprise that the report notes that, on a per capita basis, the level of violence in the Northern Territory is substantially higher than elsewhere in Australia. As the committee pointed out, our particularly high homicide rate may be explained partly by the relative youthfulness of our population, the high proportion of males, many of them transient, and the high Aboriginal population. Other factors contributing to our high level of violence obviously include heavy alcohol consumption, climate and isolation.

The violence experienced in Aboriginal communities is by no means limited to the Territory. The committee commented in relation to Australia as a whole: 'The level of violence existing in some Aboriginal communities is of a scale that dwarfs that in any sector of white Australia'.

Members of this Assembly will be well aware that the government has taken numerous steps to counteract violence in the Territory. Some of these measures are more than a decade old. The new community policing concept, indeed the whole thrust of the quiet revolution that is taking place in the police service, is aimed at making the Territory a much safer place to live. It is particularly pleasing to be able to report that many of the more significant recommendations of the National Committee on Violence are already in place in the Territory. In fact, some of the recommendations are based on Territory initiatives. However, there is no room for complacency. The government is examining all the committee's recommendations closely and will take whatever additional steps are considered necessary in the public interest.

I will now highlight some of the committee's recommendations, particularly those relating directly to violence in the Territory and to the Territory police. During the debate, my ministerial colleagues will comment in more detail on recommendations which impinge on their portfolio responsibilities.

One of the committee's recommendations is that government support alcohol and substance abuse education and rehabilitation programs in Aboriginal communities. It is pleasing to be able to report that the Northern Territory is a leader in this area. Current initiatives by the police include fringe community arrangements in Alice Springs, the efforts of remote area school-based constables, and the Police Aide Scheme.

The committee makes numerous recommendations in relation to the control of firearms. Our existing Firearms Act meets most of those recommendations already and several others are embraced in proposals for legislative reform which were approved recently by Cabinet. The legislation will be put before this Assembly during 1990. One recommendation is that the use of a firearm in the commission of a crime be taken into account as an aggravating factor in sentencing. In the Territory, the Criminal Code of 1983 recognises weapons as an aggravating feature in relation to several offences and, in any event, courts generally recognise the use of a firearm as an aggravation even where there is no statutory guidance on the matter. However, the Department of Law will examine the present position to ensure that the application of the law is consistent with the committee's recommendations.

The committee makes a number of recommendations aimed at improving the status of the victim in the criminal justice system. It is a welcome move and one which my government strongly supports. Initiatives, such as victim impact statements and counselling services, are presently under review and will be further examined by the Crime Victims Advisory Committee. There are numerous recommendations calling for drafting of legislation to protect the

victims of violence in the home. Members will be pleased to know that these recommendations are largely modelled on the Territory's domestic violence legislation which was passed by the Assembly last year. Our legislation is the subject of ongoing review, and the Department of Law will examine the committee's recommendations which go beyond our legislation to see whether they are applicable to Territory conditions.

The committee recommends also that police be trained to deal with domestic violence, something which the Territory has been doing for over a decade. Our level of training has increased dramatically in recent years, and members may recall that the new police college at Berrimah includes a facility built especially for this type of training. Another recommendation is that police should lay criminal charges in cases of domestic violence. I could not agree more, although it is difficult to obtain the necessary evidence. As our new domestic violence legislation recognises, the Territory police do lay criminal charges where sufficient evidence is obtained. The committee recommends that police policy on domestic violence be publicised. As members will be aware, a media advertising campaign is already in place. In addition, an excellent educational video on domestic violence has been produced by the Women's Advisory Council in conjunction with the police.

Another progressive recommendation of the National Committee on Violence is that police training should incorporate information on non-punitive options for dealing with youths. I am pleased to say that, for over a decade, the Territory police have been diverting young offenders by formally cautioning them. This approach is emphasised in police training and is supported by the school-based policing program which is aimed at creating a very positive relationship between the police and young people. The Territory also has a specific police youth diversion program which is now in its third year. Under this program, police obtain work experience placements for youngsters who have already gone off the rails.

Another recommendation of the committee is the adoption of formal guidelines for questioning of youth by police. The Territory has actually had legislative guidelines since the Juvenile Justice Act was enacted in 1983. My government would welcome any move towards national uniformity in this area and I will be taking up the whole question of national uniformity in police standards and practices at forthcoming police ministerial council meetings.

The committee recommends that governments initiate 'fear reduction' programs. Fortunately, the Territory does not have the public transport violence, gang violence and the other problems which cause considerable public anxiety in some southern capitals. However, our Neighbourhood Watch and Safety House programs are directed partly towards reducing fear and the Crime Victims Advisory Committee, in conjunction with the soon-to-be-formed local 'Fight Crime' committees, will examine the potential for further initiatives in this area.

The committee makes a number of recommendations concerning police procedures, including the introduction of video recording of interviews with suspects. I am pleased to inform honourable members that Territory police have already completed their pilot program for audio and video recording of interviews. Starting in May, they will introduce video recording in the major centres for interviews relating to serious offences and they will extend this practice to all localities as resources permit.

The committee suggests that police recruits should be educated about

cultural conflict. In fact, this has been a feature of Territory police recruitment training for over a decade and is subject to continuing review and refinement. To help police deal with cultural conflicts involving Aboriginal people, the committee recommends that the scope of the Police Aide Scheme be increased. Members will be aware that the Police Aide Scheme was a Northern Territory initiative in the 1970s and has since been a model for developments elsewhere. Consideration is now being given to increasing both the number of police aides and their range of responsibilities. The committee recommends also that Aborigines be encouraged to become fully-qualified police officers. Again, the Territory is a recognised leader in this area. The number of stations where police aides operate alone, as the local community police, is steadily increasing, and the Police Commissioner is currently preparing a recruitment program designed specifically to encourage Aborigines and members of other ethnic groups to become police officers. I am particularly happy to report that the committee has recommended that the Aboriginal Police Aide Scheme, as it operates in the Territory and South Australia, be introduced in other parts of the country.

Another committee recommendation is that police and others involved in the criminal justice system should be trained in child abuse issues. While these issues are addressed already in our education and in-service training programs for police recruits, more can and must be done. To that end, the level of training is under review. The committee further recommends the adoption of improved procedures for investigating child abuse. This area of the law is recognised by the Territory government as being in urgent need of reform, and I am pleased to report that it is under review by the Departments of Law and Health and Community Services, and the police. Consideration is being given to the video recording of initial complaints by child victims and to the use of closed-circuit television when children give their evidence in court in cases of sexual abuse.

The committee makes a number of recommendations concerning police accountability including one that police should be permitted to use lethal force only in self-defence or in defence of others, and then only as a last resort. Section 28 of the Territory Criminal Code, which governs the use of force likely to cause death or grievous harm, is consistent with this recommendation and, I might add, the Territory government will strongly support any move towards uniform laws concerning the use of force.

Adequate funding and resources to train police in the use of firearms and other weapons is recommended in the committee's report. A Territory study into this and related matters is nearing completion. The Report of the National Committee on Violence makes recommendations on several matters arising from the use of force by police. The government supports the principles implied in these recommendations, and the whole issue will be considered by the Australian Police Commissioners at a forthcoming national conference. Our police training emphasises that use of force and conduct afterwards will be the subject of close scrutiny and that the individual police officer must act only in a manner which is clearly justified.

The report suggests that governments should refer the matter of Crown liability for abuse of power by police to the respective Law Reform Commissions. Members may recall that our Police Administration Act has contained a provision for Crown liability since 1979. In fact, the Territory was one of the first Australian jurisdictions to provide for liability in this area.

Another report recommendation is that local government and planning authorities consider public safety and crime prevention in their planning proposals. While these issues are obviously considered by local government and town planners, they will be more generally examined under the auspices of the local 'Fight Crime' committees which are being set up in Darwin, Katherine, Tennant Creek and Alice Springs.

In conclusion, I draw honourable members' attention to the recommendation that the Commonwealth, state and territory governments each appoint a body to coordinate implementation of the report's recommendations. In fact, the composition of a Territory body is under consideration. I commend the report and assure honourable members that the government will use it as a basis for redoubling its efforts to make the Territory a safer place for all Territorians.

Mr Speaker, I move that the Assembly take note of the statement.

Mr BELL (MacDonnell): Mr Speaker, I want to make a couple of comments in respect of the statement and the final report of the National Committee on Violence. I note the comments of the Chief Minister and I believe that there are some important lessons for the Territory in this report. In one sense, they are new issues for this Assembly. I have addressed them at various times, but I think that it is worth bringing them together in a debate such as this.

I refer honourable members to page xxiii in the executive summary of the report which deals with perceptions of violence and the perception by individuals of how they may be subject to violence or of their chances of being victims. Obviously, in a climate that set up the National Committee on Violence, with the Hoddle Street massacre and the Queen Street killings, which were random, apparently unmotivated, anonymous killings, such activity naturally raises the fears of ordinary people that they may themselves become victims. I believe that, as leaders in the community and parliamentarians, we have a responsibility not to play on that fear but to cast it in realistic terms, and I refer honourable members to page xxiii in the executive summary of this report where the committee made the following observations:

> Australia is a less violent place today than it was during the period from its establishment as a penal colony until federation. However, it is more violent than it was before the Second World War.

I will return to that point in a minute.

> The rate of homicide in Australia is relatively low by international standards and has shown no significant change over the past 20 years.

I am sure that many people believe that they are more likely to be the victim of homicide in 1990 than they were in 1970, which is the 20-year period that is referred to there. The fact is that the rate of homicide has shown no significant change over the past 20 years.

I will come back to that statement in a moment, but I ask honourable members to pick up the point that Australia is more violent than it was before the World War II because the committee went on to say that rates of violent crime are not evenly distributed across Australia. For example, they tend to be higher in large cities than in country areas. Mr Speaker, I suggest to you that there is a connection between those 2 things, and that that is one of the reasons why, in one respect, we are fortunate in the

Territory. We are not an urbanised society. Unlike larger places, Darwin is not an anonymous city. It is a relatively small town by comparison with Melbourne and Sydney, and I suggest that the reason that Australia has become a more violent place since the World War II, with increased homicide rates, is because we are an increasingly urban society. Off the top of my head, I cannot quote the figures but, as I recall, prior to World War II, fewer than 50% of Australians lived in cities with a population over 100 000 whereas I believe that 70% or 80% of Australians now live in cities of over 100 000 people. When we say that Australia has become more violent since World War II, we have to bear in mind that Australia has also become a more urbanised society, and that is an advantage we have in the Territory. I simply wish to stress that we must be realistic as opinion makers and as leaders in the community. We have a responsibility not to encourage people in their concerns about being the subject of violence.

There is one area where we really do need to take stock of ourselves. In his statement, I thought that the Chief Minister somewhat understated the situation. In passing, he mentioned the high homicide rate in the Northern Territory to which the report refers. He referred to the relative youthfulness of our population, the high proportion of males, many of them transient, and the large Aboriginal population. I have reservations about the impact of the relative youthfulness of our population.

Mr Perron: It is young people who commit most crimes.

Mr BELL: I take that on board, but I suggest to you, Mr Speaker, that far and away the most important and the saddest cause of the epidemic homicide rate is in the traditionally-oriented Aboriginal communities with which I am very familiar.

Mr Perron: I did not say other than that.

Mr BELL: In response to the Chief Minister's interjection, I said that I disagreed somewhat with his emphasis because I think that relative youthfulness and a slightly higher proportion of males in the Territory is less important a factor than the epidemic homicide rate among traditionally-oriented Aboriginal people.

Mr Perron: I agree.

Mr BELL: I think it needs to be stated in exactly those terms, and I think that the Chief Minister's statement rather understated that.

I think that the report itself could have brought that out. Because the numbers in the Territory are different from elsewhere - we are only 1% of the country as a whole - those per capita rates by themselves do not necessarily reveal the socioeconomic and sociocultural causes of homicide. I have said it before and I will not labour the point today, Mr Speaker. I go to funerals. I know these people personally. I know the faces and the families behind these tragedies, and it makes me weep.

Another issue that the Chief Minister could have mentioned in his statement is the step forward taken by this Assembly in establishing a Sessional Committee on the Use and Abuse of Alcohol by the Community. The committee's terms of reference relate to the problems associated with alcohol abuse. The Chief Minister said that one of the committee's recommendations is that government support alcohol and substance abuse education and rehabilitation programs in Aboriginal communities. He commented that the Territory is a leader in this area. In that particular

paragraph, I mention in passing, he referred also to the efforts of remote area school-based constables. I am not sure what he means by 'remote area school-based constables'. I know that there are school-based constables in the towns ...

Mr Perron: In the high schools. We have a policeman who tours schools in remote areas.

Mr BELL: I welcome the interjection from the Chief Minister and I certainly endorse that.

While I am on the subject of the police - and this has been referred to by other members in other debates - my experience with the Northern Territory Police Force and the associations that I have had with various members all around the Territory, particularly in my own electorate, has dramatically increased my respect for the police force. Prior to being a member of this Assembly, I was not as aware as I am now of the police force. On one occasion, I mentioned an incident in which a police officer was involved and which related to the use of a pistol in questionable circumstances. I noted the reference to weapons in the report. However, I want to place on the record my belief in and confidence in the Northern Territory Police Force and the quality of the service it provides to the Territory community. I have a critical attitude in that regard. I have not hesitated to raise issues where I believe there have been shortcomings. However, I would be disappointed if, because I have done so, there was a perception that I am other than a supporter of police efforts in the Territory.

I believe that we are fortunate in being free of the sorts of problems that have beset other police forces, most recently in Queensland with the Fitzgerald Inquiry and, prior to that, in Victoria with the Beach Inquiry. In New South Wales and South Australia, there have also been concerns in that regard. In passing, I indicate that I welcome the statement that is still on the Notice Paper in respect of the quality of policing in the Territory. I believe that it is an issue that should be the subject of ongoing consideration by this parliament.

Mr Speaker, there is something that I meant to mention when I was addressing the question of homicide rates in the Aboriginal community. I quote from page 36 of the report:

> Accumulating evidence suggests that Aboriginal Australians constitute a much greater proportion of homicide victims than might have been expected from their numbers. Indeed, their homicide rates appear to be as much as 10 times that borne by the general population.

Honourable members will recall that that is exactly the figure that I have used in reference to homicide rates in the Aboriginal community in this Assembly on many occasions. I note the Northern Territory Police advised the committee - and again I am quoting from the report - that, in 1987, Aboriginal females were 'victims of 79% of total deaths involving chargeable offences'. That is in dramatic contrast to the national figures. The homicide rate in relation to males across the country is something like two-thirds of that. Among this small group of people, we find that Aboriginal females are victims of four-fifths or 79% of total deaths involving chargeable offences. As is the case with other statistics, those are in stark contrast with the national situation.

Those statistics need to be drawn to the attention of the Assembly and I trust that those sorts of issues will be addressed by the Sessional Committee on the Use and Abuse of Alcohol by the Community. I doubt whether there would be any of those deaths in which alcohol was not involved. I may be proved wrong, but I would be very surprised if alcohol was not involved in every last one of them.

I note the reference that the Chief Minister made to a number of recommendations aimed at improving the status of the victim in the criminal justice system. Without anticipating debate on a bill before the Assembly, I want to raise my concerns about the Crime Victims Advisory Committee. The setting up of a committee is a not inexpensive operation. Everybody knows that government resources are scarce. I believe that the way to go in this regard is to institute some pilot programs. The Chief Minister referred to initiatives such as victim impact statements and counselling services being presently under review. The report of the National Committee on Violence's recommendation 88 on page 199 states: 'Where they have not already done so, state and territory governments should establish counselling and support services for victims and witnesses along the lines of those provided by the Victoria Court Information Network'.

My reservation about the Crime Victims Advisory Committee approach is that, basically, it will be reinventing the wheel. The National Committee on Violence has already come up with that recommendation. If resources are scarce, I suggest that they should be put into a pilot counselling project, a pilot project on victim impact statements and that sort of thing. I realise the fiscal problems in that regard. I draw the attention of the government to the Victorian experience with alternative dispute settlements where the system was set up exactly on this basis. There were 2 or 3 centres in the state where an alternative dispute settlement arrangement was instituted to take the pressure off the lower courts and find a means of reducing violence in the community.

I will come back to that in a moment. However, in this context, I raise it as an example of an instance in which, in this broad area, pilot projects have been useful. I think that pilot projects in respect of victim impact and victim counselling services would be money better spent than setting up a committee that does not give me the impression of doing anything other than redoing the job which the national committee has already done. I have read with interest the interim monographs which the committee has issued and I believe that they have made a great contribution to policy workers' understanding of the issues. As I have said, I believe that the establishment of a victims counselling service would be a more appropriate course of action.

I also want to make a point in respect of dispute settlement. The committee report refers to the escalation of disputes between persons in an ongoing relationship with each other. It says that conflict resulting in violence arises between persons involved in such a relationship, be they neighbours, work mates or spouses. Trivial disputes may simmer for years, poisoning the relationship between participants and detracting from the quality of their lives. The report states that, if society is able to provide a forum for taking the heat out of those simmering disputes, the level of violence might be reduced.

In this context, it is worth referring to the history of the development of our magistrates courts because the Lower Courts historically provided that function. Because of increased workload and the increased complexity of the tasks allotted to the Lower Courts, they are not as immediately

accessible to ordinary people as their historical predecessors were, despite the fact that the spirit of the earlier situation remains embodied in the Justices Act.

I remind honourable members that justices of the peace were able, and in some jurisdictions still are, to sit in relation to particular local matters. It is conceivable that a justices system could provide the dispute resolution service. However, in positions involving the resolution of disputes, the tendency has been to require a greater level of training than has been available to justices of the peace. The old justices system relied to some extent on the fact that the justices frequently knew the people before them and were therefore in a position to resolve disputes before they reached the point of violence.

I suggest to you, Mr Speaker, that such an approach would have some merit on Aboriginal communities. I have no doubt that the member for Victoria River has a similar experience as I have in seeing disputes on Aboriginal communities reach a pitch which results in violence. I believe that consideration needs to be given to the circumstances which can resolve those disputes with less violence than has been the case hitherto, and I think that considerable work can be done in that regard. It is one of those areas of community development, of Aboriginal people coming to terms with what is essentially a sedentary lifestyle that was alien to them a generation or 2 ago. I believe that we have a responsibility to use reports like this and apply them to Territory conditions in that way. I am not suggesting that we slavishly adopt this particular recommendation of alternative dispute mechanisms or alternative dispute settlement services, as recommendation 91 has it, because essentially they are built up in urban circumstances which are entirely different from circumstances in the Territory, but I believe that a great deal of work can be done in that area.

In closing, I would like to emphasise again our responsibility as legislators. I believe that our responsibility as legislators is to respond realistically to levels of violence. Let us bear in mind that violence in the Territory community, as is the case in the rest of Australia, is not evenly spread through the community. As I said, the greater proportion of violent crime is restricted to the Aboriginal community in the Territory and therefore I believe that we have a responsibility to be realistic and encourage in the community realistic perceptions of violence and its application in the Territory, and I trust that government members will do that. It is very tempting, particularly for right wing, law and order politicians, to exacerbate that perception of possible violence on the part of the community and to encourage the community to be fearful, instead of being realistic in assisting people to understand what their chances are and developing strategies along the lines outlined by this report and, at least in part, by the Chief Minister, so that law and order in the Territory can be enhanced and the criminal justice system can be corroborated and not corrupted.

Mr MANZIE (Attorney-General): Mr Speaker, I rise to support the comments of the Chief Minister regarding the report of the National Committee on Violence. Before proceeding, I would like to pass some quick comments on the remarks of the member for MacDonnell. I agree that we have to be very careful not to overreact to the statistics which continuously appear in relation to violent crime in the Territory. We certainly have to acknowledge that it is a most serious problem, and one which must be dealt with by this House. I believe, however, that all members of this House would agree that they would rather walk the streets of Darwin or Alice Springs than those of Kings Cross or St Kilda. I certainly feel much

safer in the Territory than in some of the major population centres down south. Nevertheless, that does not diminish the terrible problem of violent crime in the Territory.

It is well known that I have very grave concerns about the level of violence in our society. That is probably partially a result of the frequency with which I encountered violent crime and witnessed the misery it caused during my time as a police officer. Fortunately, I no longer have to visit the scenes of violent crime in the course of my work. However, in my capacity as Attorney-General, enough matters pass across my desk to regularly remind me of the many distressing episodes which I have experienced. I am certainly reminded regularly of the level of violence which continues in our community.

The member for MacDonnell referred to alternative dispute-settling mechanisms. I certainly am aware of some of the work which has been done in Victoria and New South Wales. This government intends to pursue the matter. Obviously, any method which can reduce the cost of settling disputes and make the process more available to the general community in an economic sense is something which should be supported by both sides of the House.

I am also very much aware of the genuine concern in the community about violence, particularly violence directed against women. Clearly, it is this parliament's responsibility to address that concern. During the next sittings of this Assembly, I expect to be in a position to introduce a new sentencing act. I indicate to honourable members now that that legislation will focus particularly on crime.

Another issue of concern to me is child abuse. I note that the committee has recommended that urgent attention be given to improving procedures for investigating allegations of sexual abuse of children. I certainly noted the comments recommending consideration of the use of video recording techniques to assist in the delivery of evidence in such matters. As the Chief Minister stated, such an approach certainly has received some attention in the Northern Territory. In particular, I have discussed with the Police Commissioner the possibility of recording on video the original interviews with victims of sexual attacks, whether those victims be children or adults. It seems to me that this may have advantages in preserving the integrity of the original evidence given by the victim, particularly in child abuse cases where the question of contaminated evidence is frequently a consideration when the matter eventually goes to trial some time after the report of an offence.

I must stress that the degree to which videotaped evidence could be or should be admissible in court is certainly one of great complexity. Obviously, the competing interests must be balanced - for example, the right of the accused to have a fair trial against the concern that victims of child sexual abuse should not be subjected to unnecessary trauma and demoralisation are matters which have to be balanced. It is not only the victim of child abuse whose interests must be considered in this regard, but also those of any victim of sexual assault. However, that is another issue which I hope to bring before the Assembly in greater detail this year.

I am pleased that a number of the committee's recommendations are in line with practices already followed in the Northern Territory. Examples include the introduction of the Police Aide Scheme, along the lines of the scheme operating in the Northern Territory, and the education of police in relation to Aboriginal culture. Again I note the recommendations regarding

the video recordings of confessional evidence. Most honourable members would be aware that the Territory police make extensive use of video and audio recording techniques, particularly in relation to serious crime. The Chief Minister pointed out that, following a successful pilot program, the use of video recordings will be progressively made available to police in all areas of the Territory.

A theme of the report is the need to educate the community of the serious effects of violent crime, to educate people about its devastating effects on individuals and families and its detrimental effect on the community as a whole. I am sure that all honourable members would join with me in condemning violent crime in any form whatsoever. The Assembly certainly must set a lead in educating the next generation that violence at today's level cannot and must not be tolerated in our community.

In concluding my remarks, I certainly welcome the report. Certainly, there is much in it to provoke community debate. I encourage debate because it is only with community involvement that major problems in our society, such as violence, can be effectively addressed.

Mr COLLINS (Sadadeen): Mr Speaker, it was quite interesting to listen to the remarks of the Attorney-General. He said that no member of this House would support violent crime in any way, shape or form and that we should be the leaders in addressing and educating the community against this form of lifestyle. It makes me wonder whether we should not bring to the fore an area where violence is often depicted in a very realistic manner and which affects the minds of those people who watch it. I am thinking of the violence in R-rated videos. I hope that the House will take this matter on board. It is a thorny question. There are people in the community who maintain that violent videos do not have any effect on those who watch them. Of course, some of those have a vested interest. If we are fair dinkum, we must examine this. I believe that what you feed your mind on, what you view and what you hear tends to colour your attitudes. This can apply to the very people who censure such films. When they see such films for the first time, they are horrified. However, when they see such a film 2 or 3 times, the shock value is lost and they become desensitised.

If we are to give a lead in this matter, we need to look very carefully at the violent video and its potential for degrading people's behaviour. I recall that shocking murder and sexual attack on Anita Cobby which was abhorrent to every Australian who ever read about it. I recall that the people convicted of the crime said in evidence that they were watching violent videos before they committed that act.

I am sure that what we see has an influence on us. The other day, one of my constituents rang me. We discussed the influence of what we see and read. He said that we had only to consider the example of the speedway. People go to the speedway to watch cars racing at high speed and then they drive home like maniacs. It has an influence on their behaviour. I am quite sure that ...

Mr Manzie: I would have to disagree with that.

Mr COLLINS: Well, that is one person's view.

I put the challenge to this House that, if we are fair dinkum about wanting a decent society for our kids - and I am sure that we all are - we should look at this question of violent videos and their effect on us all. I do not say that they affect children only. I must admit that I have read

more about their realism than I have witnessed directly. Perhaps I should have a look at some. They do have an effect on some people and we must determine whether it is good for our community. That is the balance and we are always balancing matters.

Mr Ede: What are you talking about?

Mr COLLINS: If you were not listening, then that is to your shame.

Mr Speaker, the R-rated and violent video and its effects should be examined seriously. If we have some criticism from certain parts of the community, let us make sure that the arguments put forward are pretty good before we succumb to the pressure which may be applied. Many people may claim that they do not think they would be affected if they watched violent videos and that there are others who are not so strong who would be affected. If it were my kids who were the victims of their violence, I certainly would be more than happy never to watch one of these videos myself but rather to have them banned.

Mr SMITH (Opposition Leader): Mr Speaker, the people in our community who are basically at the forefront when we talk about violence are the police because, in all sorts of situations, we expect them to prevent violence if possible and to deal with it where it occurs. Like the member for MacDonnell, I would like to go on record as stating that the Northern Territory Police Force has established for itself an enviable reputation as an honest police force which takes on board the tasks set for it by the government of the day.

However, I know that there is concern within the police force that, whilst its members are being asked to take on more and more tasks, the amount of money provided to undertake those tasks is not rising commensurately. No one is saying at this stage that that will have the effect of undermining the credibility or the effectiveness of the police force, but it is certainly something that is worrying police officers. I raise this because of a statement made by the Chief Minister. He said: 'Our level of training has increased dramatically in recent years and members may recall that the new police college at Berrimah includes a facility built especially for this type of training'. He was referring to the handling of domestic violence. I recall that, when the domestic violence legislation was introduced, it was implemented at first by police officers who had not had any training in the handling of domestic violence and who were not fully aware of the implications of the legislation we had passed through this House. It is my understanding that there are still quite a few police officers who have not been fully trained in the new domestic violence legislation. I hasten to add that that is not a criticism of the police force; it is a criticism of the government's failure to adequately fund the police force to provide for essential training needs.

I know it is a stated government policy that 2% of total departmental expenditure should go into training. It has been able to show, through a variety of means, that 2% has been set aside. We might have that debate again one day so that we can get to the bottom of that situation. However, I am advised that, at present, only 1% of expenditure for the police is set aside for training police officers in the wide range of roles that they have. I must say, at the outset of my contribution to this debate, that that is a worry, because the police are the thin khaki line between us and anarchy in a very real sense. They are dealing with a rapidly changing scene in terms of crime. They are expected, on a regular basis, to take up new responsibilities and it is important that we provide them with adequate

and appropriate training to enable them to do that. Unfortunately, I do not believe that is occurring at present. I do not believe that sufficient money is allocated to police training to enable them to be equipped as properly as they could be in dealing with all of the burdens that we expect them to bear on behalf of the population of the Northern Territory.

Turning to the report itself, like the Chief Minister, I commend its well-researched and cogent style. As the Chief Minister indicated, I had the opportunity to address a public meeting at which a number of the members of the committee were present. I believe that the committee's willingness to consult and listen has resulted in such a good report.

It is worth noting some of the issues that were comprehensively researched by the committee. These included social, economic, psychological and environmental aspects of violence, gender issues, drug and alcohol effects, the attitudes of children and adolescents to violence, the vulnerability of particular groups, and support to victims of violence. Given the comparatively high levels of violence in the Northern Territory, some additional statistics in the report are interesting. Infants under 12 months old - and this is quite staggering and very frightening - face the highest risk in terms of homicide. Non-fatal assaults have increased since the early 1970s. In more than 80% of cases, offenders are males aged between 18 and 30 years of age, and most of them are likely to be single and unemployed. Assaults by juveniles are comparatively uncommon. Men are more likely to be victims of other men, except for domestic violence and child abuse. Both perpetrators and victims of violence generally are from relatively less advantaged groups. As we have already heard, Aboriginal people are at higher risk, and most Aboriginal victims of violence are women. Families are the training ground for violence: the aggressive child becomes an aggressive adult.

The use of violence is deeply embedded in our culture, and the member for Sadadeen has mentioned one aspect. Without doubt, there is considerable violence in R-rated videos but, in fact, violence is more institutionalised in our society than it is at the video shop. Factors associated with violence include community tolerance of violence in the home - and, thankfully, we are becoming less and less tolerant of that - in relation to sport, and we are all aware of that, and in schools. Economic inequality, gender inequality, alcohol abuse and even sociocultural diversity are factors which underlie much of the violence apparent in our community at the moment.

The report makes 138 recommendations relating to matters such as health, welfare, employment and training, housing, transport, sport and recreation, Aboriginal affairs, criminal law, local government and the non-government and private sectors. The Chief Minister stated that many of the more significant recommendations are already in place in the Northern Territory. I am pleased to recognise that, in many ways, the Northern Territory has been the leader in dealing with some of these problems. However, as the Chief Minister also said, there is still much to do. Importantly, he paid little attention to what strategies are needed to prevent or reduce violence. The prevention of violence requires addressing social and cultural values relating to violence. The Chief Minister did not address those social and cultural values. He said a great deal about the level of violence in Aboriginal communities but very little about ways in which we can reduce that level of violence.

The Chief Minister said that it is difficult to obtain evidence in domestic violence cases. He went on to say that, when evidence is

available, the police press charges. That state of affairs illustrates social and cultural values. The reality is that evidence in incidents of domestic violence comes largely from the statements of women. Its 'availability' is largely informed by attitudes of police and others to women and to violence. Indeed, it is not so long since a woman's stories about domestic violence would almost automatically be discounted, particularly if she was married and living in the same home as her spouse with a couple of kids. Even within the last 10 years, that was the prevailing attitude.

Mr Manzie: That is wrong, Terry. They were not automatically discounted.

Mr SMITH: They were almost automatically discounted.

I am not having a go at the Attorney-General or the government. I am stating that, as he has recognised and as his government has recognised, there has been a dramatic turnaround in community attitudes on this very question during the last 10 years. Certainly, 10 years ago, it was very difficult for a woman who was a victim of domestic violence to receive any redress for her complaints. The police were reluctant to take such matters up and the community in general simply did not want to know about them. Thankfully, that is starting to change and I congratulate the Attorney-General for his efforts in reflecting community attitudes on the matter.

There is, however, more to be done. For example, there is no Territory-wide provision of personal safety or protective behaviour programs for schoolchildren. We all know that they are most at risk. There is no adequate provision for 24-hour sexual assault counselling services. Aboriginal women and children do not have access to adequate services required as a result of violence. Professional people such as doctors, lawyers, teachers, psychologists and social workers do not have access to training programs in their work places to assist them in the identification and treatment of violence. There is currently no service for victims of crimes. There is a committee to examine the needs of victims but we do not have any victims of crime legislation. Formal equal opportunity and anti-discrimination legislation and policy do not exist in the Northern Territory. That is particularly important because it is a further way in which a government in the Northern Territory can demonstrate to the community that it is not prepared to tolerate any form of discrimination, whether it be violent or non-violent, against sections of its own community. Equal opportunity and anti-discrimination legislation and policy is fundamental to changes in values and attitudes in the community and is also fundamental to many of the recommendations in this report.

The opposition supports most of the recommendations in the report. The document is detailed and the recommendations have economic and other implications for many portfolio areas - for example, education, welfare, health and police. As a bottom line, a Labor government in the Northern Territory makes a commitment to limit and eventually eliminate many of the problems associated with violence. We see as important the introduction of equal opportunity and anti-discrimination legislation, to ensure adequate and appropriate training for those at the front line in dealing with violence, to establish comprehensive victims of crime services - not simply a victims of crime advisory service - and to ensure that adequately staffed and adequately funded child protection and child abuse prevention programs are put in place. Those measures are the bottom line if we are to take seriously the very real questions of violence in the Northern Territory.

The government has made some movement in that regard and I congratulate it on that. However, there is still a long way to go before we can seriously start to reduce our unenviable reputation as being the most violent part of Australia.

Mr TUXWORTH (Barkly): Mr Speaker, I rise to support the Chief Minister's statement and to commend the document which has been tabled this morning. The real problem that we have always had in relation to violence in the community, apart from the violence itself, is the attitude of the community to it. I think that was highlighted on Sunday when I attended a farewell function in the rural area for Brother Noel of the Church of the Good Shepherd. During his remarks to his congregation, he said that the great sadness that he experienced in the Northern Territory was that 1 out of every 4 funerals that he attended as a clergyman involved a juvenile suicide. It was a stark reminder to him of the state of the community when such a high number of young people were committing suicide.

That started me thinking about the matter of violence. A great deal has been done in recent years to try to highlight the problems of domestic violence, to bring it out in the open and to deal with it in a positive way. I think that much has been gained from that. In an earlier debate in this House, I took issue with the minister over some of the problems with legislation relating to the reporting of domestic violence. Notwithstanding those problems, and they are very real, I think a great deal has been achieved in making the community more aware. When we are talking about awareness, however, it is a relative matter. One can go to an Aboriginal community and see some badly battered people from time to time. I must say that my stomach churns when I see some of the women in Aboriginal communities who must have had one hell of a hiding for some reason or another. What you and I, Mr Speaker, would perceive as domestic violence and brutality of the worst form is accepted in some of those communities as a way of life. A great deal has yet to be done to ensure that the attitudes in those communities are turned around.

That leads me to the point that was raised by the member for Sadadeen about videos. While we are trying to turn around community attitudes towards violence, we are sending into those communities violent videos and films that would make any normal person's blood crawl through his veins.

Mr Collins: Such as the 'Texas Chainsaw Massacre'.

Mr TUXWORTH: Yes, that is a particularly ghastly movie. It seems to me that, if we are to try to change attitudes in the community, at some stage we must indicate that we do not regard as the norm such movies that are available for the entertainment of the public and that we do not sponsor the behaviour depicted in them. However, I think the time is fast coming when we will have to bite the bullet in relation to some of these violent movies and ban them. If some people in the community regard the behaviour in some of these violent videos as normal, we still have a very sick community. That reminds me of a statement made by the policeman at Elliott some years ago. He said to me: 'I can tell you what movie is being watched in the camps by the behaviour of people over the weekend and the charges I have to lay when I lock them up'. To that policeman, the relationship was that clear and that brutal.

On a more positive note, I would like to say that I am pleased to note the introduction of video recording for interviews with the police. It is an instance of police work and court activities keeping up with technology. At the end of the day, I do not think there will ever be a substitute for

having a videotape of an interview. Last year, a lady complained to me that her daughter had been unreasonably treated during police questioning. She laid a series of charges. The truth is that no one will ever know what happened during the questioning and whether her complaints were valid. However, once the system of video recording of interviews is put into place, many of these allegations, particularly ones such as I received last year, will be able to be dealt with expeditiously. One will be able to look at the record of interview on the video to see how the interviews in fact were conducted. I make that comment as a lay person and as someone who, from time to time, like all members of this House, receives complaints from constituents. I do not doubt that the courts and the police will also gain advantages from having interviews videoed.

Mr Speaker, I commend the report and also the Chief Minister for his statement. The pursuance of our interest in domestic violence and violence in the community is something which should never wane. We should always be vigilant in looking for ways to improve the lives of our constituents.

Debate adjourned.

DISTINGUISHED VISITOR
Mr B. Kilgariff

Mr SPEAKER: Honourable members, I draw the attention of members to the presence in the gallery of a former member and Speaker of this House, Mr Bernie Kilgariff.

Members: Hear, hear!

TABLED PAPERS
Reports of Commissioner of Consumer Affairs 1988-89 and Commissioner of Motor Vehicle Dealers 1988

Mr HATTON (Health and Community Services): Mr Speaker, I table the report of the Commissioner of Consumer Affairs for 1988-89 and the report of the Commissioner of Motor Vehicle Dealers 1988. Mr Speaker, I move that the reports be printed.

Motion agreed to.

TABLED PAPER
Draft Consumer Affairs Bill

Mr HATTON (Health and Community Services): Mr Speaker, I table for discussion a draft Consumer Affairs Bill. In so doing, I move that the Assembly take note of the paper.

The Consumer Affairs Bill represents the most far-reaching and comprehensive reform of consumer law undertaken in the Northern Territory. A better deal and fairer marketplace for all Territory residents will result from the decision to overhaul totally the existing legislative base and broaden the scope of consumer affairs as recommended by the working group responsible for the review of consumer affairs. The reforms place greater emphasis on self-protection and business competition by providing effective remedies to both consumers and traders who suffer loss through the actions of dishonest and unfair operators.

The decision to conduct the review was in recognition of the need to strengthen the role of Consumer Affairs in the Northern Territory. The

present legislation in the Territory has been produced in a piecemeal fashion over many years, without any adherence to a consistent policy. When the report of the working group was released for public comment, it received overwhelming public support and favourable comment. The package of reforms covers a wide range of initiatives that reflect modern business realities and community expectations. They will provide both consumers and traders with greater clarification about rights, responsibilities and methods for resolving disputes. The centrepiece of these reforms will be the fair trading provisions that will underpin the commitment to the maintenance of a free, fair and competitive marketplace, a market in which traders will be able to compete and consumers will be able to rely on minimum standards of behaviour.

In May 1988, my predecessor, the late Don Dale, tabled in this House the report of the working group which conducted a review of consumer affairs policy and legislation. At that time, the minister made a major statement commending the report to honourable members and inviting the public to respond to the recommendations, following tabling, by providing a period for public comment. In its report, the working group recommends the adoption of a set of policy guidelines, the overhaul of the existing legislative base of Consumer Affairs and the development and implementation of a single consolidated act. Consolidation of legislation will achieve consistency of definition, administration and enforcement for the more effective and efficient operation of Consumer Affairs. The recommended package of reforms is based on a suggested set of policy guidelines with the objective of upgrading and rationalising the basic consumer law in the Northern Territory.

The Consumer Affairs Bill consolidates and rationalises desirable features of the existing legislation, amends and updates other provisions, and introduces uniform legislation. It provides for a range of sanctions against unfair trading practices, and uniform provisions to deal with dangerous and hazardous products. It redefines and expands the role of Consumer Affairs and the Commissioner of Consumer Affairs. The emphasis is clearly placed on the promotion and maintenance of fair trading and not simply the advancement of mere consumer protection.

The commitment to fair trading is demonstrated by the redefining of the current narrow definition of 'consumer' to make the services and remedies of Consumer Affairs more accessible to farmers, pastoralists and small businesses. In normal circumstances, these groups are often in much the same position as traditional private consumers when it comes to the resolution of problems met in the buying of goods and services. No longer will they be denied access to legislative protection for their non-business transactions, as is the current situation.

Fair trading is about the promotion, maintenance and enforcement of basic standards of honesty and integrity in commerce, regardless of the identity of the buyers and sellers. Further, the legislation recognises the rights businesses have in their dealings with suppliers and competitors. The origin of the fair trading provisions of the bill dates back to the 1983 agreement between Commonwealth, state and Territory consumer affairs ministers to adopt consumer protection legislation wherever possible. It was decided that part V, consumer protection provisions, of the Commonwealth Trade Practices Act would provide the best basis for achieving uniformity, and that mirror legislation would be the most practical technique by which to implement uniformity.

All states have now introduced fair trading legislation mirroring the relevant provisions of the Commonwealth Trade Practices Act. In effect, it

establishes a minimum acceptable standard of conduct for business. In use for nearly 15 years by the Commonwealth, and now mirrored in state legislation, it has become well understood and accepted by the business community.

Uniform provisions relating to consumer product safety and information standards, product recall, and enforcement and remedies have been included in the consolidated legislation. This will expand the capacity of Consumer Affairs to take action against dangerous and hazardous products. While adapted to suit local conditions, the basic adherence to uniformity has not been jeopardised, thus allowing for joint action with interstate agencies in the future.

The legislation provides for greater self-regulation and industry co-regulation through the use of codes of practice to promote minimum standards of performance and fair dealing. In seeking to minimise regulation, codes of practice represent a viable alternative in terms of balancing the interests of the community and giving an appropriate level of certainty in which the industry can operate.

In anticipation of these reforms, the Office of Consumer Affairs has expanded its activities and services over the last year or so. This expansion has included: the commencement of an agency role in the Territory by Consumer Affairs for the Commonwealth Trade Practices Commission, providing a Territory and Commonwealth one-stop shop service to the public on matters relating to consumer affairs and trade practices; continuing expansion of consumer awareness programs directed to Aboriginal audiences; and increased emphasis on the development of business education.

Two specific review recommendations, which support this package of reforms, have already been acted on. I refer to the reform of the Small Claims Act, which came into force in June 1989, and the proposal to establish a vehicle encumbrance register to protect the interests both of consumers and motor vehicle dealers. Officers of the Department of Transport and Works have worked on this proposal to a point where the Northern Territory is to integrate with the New South Wales register system known as REVS. I feel sure that the Minister for Transport and Works will have more to say on this issue and I do not wish to pre-empt any announcement that he may wish to make on its imminent commencement.

Apart from the undoubted benefits of consolidating most consumer affairs provisions in a single act, the draft bill has 5 major elements. These include: firstly, expanding the definition of 'consumer' to provide a greater range of Territory residents with access to the services and remedies of Consumer Affairs; modernising and updating of existing desirable provisions; promoting the principles of fair trading rather than the mere advancement of consumer protection; adoption of uniform provisions in relation to travel agents, door-to-door trading, product safety and fair trading; and introduction of co-regulation with industry and commerce by providing for the development of codes of practice.

The introduction of the consolidated legislation will result in the repeal of the following legislation: the Consumer Protection Act, the Motor Vehicle Dealers Act, the Door-to-Door Sales Act, the Unordered Goods and Services Act, the False Advertising Act and the Trading Stamp Act. Associated regulations will be repealed or amended.

I will now deal briefly with the main provisions of the Consumer Affairs Bill. Part I of the consolidated Consumer Affairs Bill will provide common

definitions including the expanded meaning of 'consumer'. Part II is headed 'consumer affairs commissioner and council'. Division 1, the role and functions of the Commissioner of Consumer Affairs, is redefined and expanded with an emphasis on fair trading. Division 2 provides for the appointment and functions of the Consumer Affairs Council as an advisory body to the minister.

Part III, authorised officers, establishes the authority, powers and functions of the staff of the commissioner who will assist in the administration of this legislation. Part IV, product safety and product information, contains a comprehensive range of uniform provisions relating to consumer product safety and information standards, product recall, and enforcement and remedies. Where necessary, these provisions are adapted to suit Northern Territory conditions without jeopardising the undoubted benefits of uniformity.

In part V, fair trading, division 1 provides for the prohibition of unfair trade practices. The fair trading division mirrors the relevant provisions of the Commonwealth Trade Practices Act. The provisions contain a general prohibition against misleading or deceptive conduct. Certain forms of conduct are prohibited, such as false or misleading representation in relation to goods or services, bait advertising, pyramid selling, liability of recipient of unsolicited goods, and other provisions. There is also a general prohibition of unconscionable conduct. It is aimed at conduct which is unfair or unreasonable and which results from a strong party to a transaction taking advantage of that position to the detriment of others.

Division 2, implied conditions and warranties in consumer transactions, contains a uniform provision which will apply to all consumer contracts for goods or services, and which will ensure that certain non-excludable conditions and warranties apply. Division 3, actions against manufacturers and importers of goods, contains a uniform provision which confers on consumers certain non-excludable rights of action against manufacturers or importers of goods. Division 4, transactions involving credit providers, contains a uniform provision which recognises the concept of the 'linked creditor provider', in effect making the supplier and financier both liable in certain circumstances where a consumer suffers loss or damage in relation to goods or services which the consumer has acquired from the supplier on the basis of credit provided by the financier.

Part VI is enforcement of parts IV and V and remedies. It contains uniform provisions dealing with contraventions of parts IV and V. The penalties mirror those of the Trade Practices Act with breaches attracting penalties in certain circumstances of up to $20 000 for individuals or $100 000 for corporations. Other contraventions may give rise to the use of injunctions in order to restrain or prevent certain undesirable practices. Part VII, door-to-door trading, contains uniform provisions which modernise and strengthen the controls over door-to-door selling practices and behaviour.

Part VIII, fair reporting, gives everyone the right to know when information of a commercial nature concerning them has been reported to a trader by a 'professional' reporting agency and to have errors corrected. It relates especially to credit rating or 'worthiness' reporting. Part IX, trading stamps, contains a provision which prohibits third party trading stamp schemes and trading stamp promotions associated with cigarettes and tobacco products. Part X, motor vehicle dealers, contains comprehensive

amendments to the existing legislation covering the licensing and operations of motor vehicle dealers.

Part XI, travel agents, contains uniform provisions relating to the licensing of travel agents and regulation of their operations. It provides for a licensing scheme to set minimum standards of performance and behaviour and guarantees financial viability through membership of a national compensation fund. All states have introduced the uniform provisions.

Part XII, codes of practice, provides for the development of codes of practice for fair dealing in consumer transactions and promotes minimum standards of performance. Part XIII, miscellaneous, provides for the making of regulations and associated matters.

Originally, it was intended that the model uniform trade measurement provisions developed to replace the existing weights and measures legislation would form part of the consolidated Consumer Affairs Bill. While it is still the government's intention to proceed with this legislation to further demonstrate continuing commitment to uniformity and the streamlining of regulations, separate legislation will now be introduced, reflecting similar action interstate. This will ensure the introduction of identical legislation throughout Australia and guarantee adherence to uniformity.

The introduction of the Consumer Affairs Bill will usher in a new era of consumer affairs in the Northern Territory, providing greater access to the services and remedies of Consumer Affairs in response to community expectations. It introduces modern updated and generally uniform provisions which are in line with those operating interstate and will contribute to the promotion of a fair market nationally, allowing the Northern Territory to participate with interstate Consumer Affairs authorities on an equal footing. It recognises the expanded role for Consumer Affairs in the promotion of fair trading, acknowledging that both consumers and traders have a legitimate interest in maintaining and promoting honest dealings and fair competition in the expanding Northern Territory marketplace.

I commend this draft Consumer Affairs Bill and table it for discussion. Further, I call on interested members of the public to comment on the draft during the next month. Copies will be made available to ensure the widest possible consultation before a final bill is introduced in this House. This bill has been developed, as I mentioned earlier, through an extensive process of consultation and community involvement and I pay credit to the excellent work carried out by the committee. The honourable members for Ludmilla and Jingili were very actively involved in developing these proposals, in compiling the report which was presented to this House in 1988 and in the subsequent discussions. This bill has the potential to be almost the longest bill ever to come before the Legislative Assembly. In many ways, it is revolutionary legislation. Ongoing consultations with various groups in the business community who are directly affected have helped to sort out the bugs. This is major social legislation which makes it clear that we are not locked into our present situation.

We would like to ensure that, after 3 to 4 years of community consultation, we get this as right as possible. The community now has an opportunity to look at the draft bill in detail so that, hopefully, we will be able to introduce a bill in the May sittings and see it proceed with a minimum of controversy and fuss so that we can move into a new era of consumer affairs legislation in the Northern Territory.

Debate adjourned.

TABLED PAPER
Interim Report of the Review Committee on Police Investigations and Rights of Persons Suspected or Accused of Crime

Mr MANZIE (Attorney-General): Mr Speaker, I table the first Interim Report of the Review Committee on Police Investigations and Rights of Persons Suspected or Accused of Crime. Honourable members would recall that, in 1988, this Assembly passed amendments to the Police Administration Act and the Bail Act following the decision of the High Court in Williams v The Queen. These amendments allow the police, following arrest, to detain a person for a reasonable period in order that the person may be questioned or investigations carried out.

At the time the amendments were debated in the Legislative Assembly, a number of concerns were expressed within the community and this Assembly in respect of the application of the new law. Accordingly, the then Chief Minister announced the establishment of the Police Powers Review Committee which would review the legislation and the wider issue of police powers and the rights of suspects. The review committee was to consist of nominees of the Law Society, the Police Commissioner and the Attorney-General, as well as an independent person. At the time of the announcement of the committee, the then Chief Minister indicated his intention that the committee would report to him at the expiration of 2 years from the commencement of the legislation. He further indicated that the review committee would have an ability to make interim reports and that these reports would be tabled in the Legislative Assembly.

Since the establishment of the committee, its membership, including the position of chairman, has changed from time to time. In September 1989, the Solicitor-General replaced Mr Ian Barker QC as chairman of the committee. It was envisaged that this change would make it easier for meetings of the committee to be held and, indeed, 4 meetings have since been held at which a large number of issues have been resolved.

In terms of the provision of a comprehensive report on the 1988 amendments, the committee took the view, as reflected in the interim report which I have tabled today, that a comprehensive report could not be produced until 1991. The reasons for this, which the government accepts, are contained at page 3 of the interim report which states:

> A period of 2 years has not provided a sufficient databank for a considered analysis of the use of the investigatory detention power. In particular, it is worthy to note that only now criminal matters which are involved in this are coming before the Supreme Court for trial. The committee needs to consider any comments on adjudications by the Supreme Court upon the use of the power in order to prepare a comprehensive report to government.

The interim report provides information on the operation of the investigatory detention power to date, the history of the committee and its activities, including its consideration of the legislative initiatives such as listening devices, police powers associated with drug legislation, forfeiture of proceeds provisions and the new domestic violence laws in the Northern Territory.

Mr Speaker, I would welcome comments on the committee's report. Honourable members will note from the contents of the report that the committee has given detailed consideration to a number of difficult issues associated with police powers in the Northern Territory. On behalf of the government, I thank the members of the committee who give of their time voluntarily, often at the end of a very hectic day, to consider various matters associated with police powers. I commend the interim report to honourable members.

Mr Speaker, I move that the Assembly take note of the statement.

Mr BELL (MacDonnell): Mr Speaker, I want to make a couple of comments about the statement just made by the Attorney-General. I am absolutely amazed that an issue as contentious as the investigatory detention powers which gave rise to the creation of the review committee should be the subject of a statement which the Attorney-General has not even bothered to circulate in advance, let alone given the opposition any opportunity to contribute to the debate in a meaningful way.

Mr Manzie: Why don't you sit down so that you can make your comments after you have read the report?

Mr BELL: I am simply saying that the practice in this House has been to give the opposition some opportunity to be informed in advance of which statements are to be made in relation to which subjects.

Mr Manzie: You have just shot yourself in the foot.

Mr BELL: For the benefit of the Attorney-General, who should not be interjecting in that fashion, I point out that he has made it very difficult for the business of this House to be carried out in a reasonable fashion on such a contentious matter as this.

Mr Manzie interjecting.

Mr SPEAKER: Order!

Mr BELL: Well, tell him to shut up.

Mr SPEAKER: Order! The member for MacDonnell could have adjourned the debate and spoken on the matter at some other time. As I understand it, that was the intention of the Attorney-General. He has not made a ministerial statement. He has tabled a paper. All the member for MacDonnell needed to do was to adjourn the debate. He could have then read the report and made comment on it at a later date.

Mr BELL: Mr Speaker, as what might be called the father of this House, you have occupied every position on the floor of this House. You will be well aware of the tactical approach of a government in seeking to draw as little attention as possible to a potentially contentious issue like this. The report was accompanied by a statement which was not even circulated. It was simply read out. It could easily have been circulated like the other 4 statements which we are addressing today. By doing that, the Attorney-General and the government could have done the people of the Northern Territory a service in terms of constructive parliamentary debate. I take your point, Mr Speaker, that I could have simply adjourned the debate. However, for the benefit of the Attorney-General and the Leader of Government Business, I point out that it is pathetic for a report on a highly contentious subject of public debate to be dealt with in this fashion.

Mr Manzie: What are you talking about? The report was tabled in the House for you to deliberate on so that you could contribute with some sense.

Mr SPEAKER: Order! The Attorney-General will allow the member for MacDonnell to have his say in silence.

Mr BELL: Having said that, I trust that the government will take on board the comments that I have made about reasoned public debate and preparation for that debate. I appreciate too that there is no formal obligation on the government in terms of standing orders. However, it has been accepted practice whenever possible, as I am sure you will agree Mr Speaker, that statements to this Assembly are circulated in advance so that all members have an opportunity to comment on them. I trust that, in future, the government will accept my comments in the manner in which they are given. I regret the necessity that prompted me to raise my voice earlier, Mr Speaker, but the reason I did so was just to make my voice heard.

Mr Manzie: You have wasted your opportunity.

Mr BELL: I give notice to the Attorney-General that I will be studying the report very carefully and I will be contacting people in the community, particularly people involved with the criminal justice system, to obtain their views. I seek the leave of the House to continue my comments at a later hour.

Leave denied.

PERSONAL EXPLANATION

Mr MANZIE (Attorney-General)(by leave): Mr Speaker, the performance of the member for MacDonnell on the tabling of this paper was absolutely woeful. Normally, papers are deemed to have been tabled. Reams of them appear on our desks and we are supposed to read them, digest them and possibly speak on them during an adjournment debate. I tabled this particular paper specifically with a short statement so that members could study it, so that it could be discussed in the community, and so that there could be sensible debate in the House. What we have witnessed is the member for MacDonnell pretending to be pained. He did not bother to read the paper, but carried on as though something improper had been done. In fact, he had been given the opportunity to debate the contents of the paper in a sensible, logical way after perusing it and thinking and talking about it. But, that was not good enough for him. He wasted his debating time, when he should have used it to make a sensible contribution. Trying to castigate ...

Mr BELL: A point of order, Mr Speaker! The personal explanation, as the Attorney-General should be aware and as I recall the standing order, is for the benefit of explaining parts of the minister's speech which were misunderstood.

Mr SPEAKER: There is a point of order. I believe that the honourable Attorney-General has made his point.

Debate adjourned.

STATEMENT
Climatic Change

Mr HATTON (Conservation): Mr Speaker, I would like to report to the House on the Ministerial Conference on Atmospheric Pollution and Climate

Change which I attended in Noordwijk, the Netherlands, on 6 and 7 November last year. The conference was an important landmark in the field of climate change policy. The issues covered at the conference included carbon dioxide emission stabilisation and future reductions, global forest balance and future forest growth, funding mechanisms for general problems associated with climate change, the need for a climate change convention, and the principle of shared responsibility and the particular responsibilities of both developed and developing countries.

It was recognised at the conference that the basic principle of ecologically sustainable development is fundamental to efforts to tackle the problem of climate change and atmospheric pollution. There were 67 countries represented at the conference, most of them at ministerial level. International organisations attended also, with the number of delegates at the conference numbering about 400. The conference culminated in the adoption of a declaration by consensus of all parties present entitled, 'The Noordwijk Declaration on Climate Change'. I would be happy to obtain a copy of the declaration for any member of this House. I would like to quote to the House from the preamble to the declaration:

> The composition of the earth's atmosphere is being seriously altered at an unprecedented rate due to human activity. Based on our current understanding, society is being threatened by man-made changes to the global climate. While there are still uncertainties regarding the magnitude, timing and regional effects of climate change due to human activity, there is a growing consensus in the scientific community that significant climate change and instability are most likely over the next century. Predictions available today indicate potentially severe economic and social dislocations for future generations. Assuming these predictions are accurate, delayed action may endanger the future of the planet as we know it.

The issue is a serious one which is recognised by a growing level of international concern. I am sure that the government can count on the support of all members of this House for the actions that we will be taking in the Territory over the next decade in order to play our part in arresting the changes that are occurring and, where possible, in reversing them. There is considerable confusion in the community over climate change and the processes involved. The Conservation Commission is organising a conference called 'Environment 90' to be held over 8 and 9 March, and one of the sessions of the conference will deal specifically with the issues of climate change. I recommend strongly that people attend the conference in order to hear from the experts the facts and the varying interpretations which can be placed on those facts.

In the meantime, I would like briefly to advise the members of this Assembly of some of the processes in climate change. Climate change, colloquially referred to as the Greenhouse Effect, is often confused with a number of separate issues, including ozone protection and acid rain. While these processes often result from similar atmospheric pollutants, the processes and their implications are quite different. I would like to outline these briefly for the benefit of honourable members.

When shortwave energy from the sun arrives at the earth, about one-third is reflected back to space by clouds in the upper atmosphere. Of the remainder, about one-third is absorbed by the atmosphere and two-thirds is absorbed by land and ocean surfaces. The earth's surface re-radiates this energy at longer wavelengths and this is then trapped by a number of so-called greenhouse gases which absorb this heat energy and act like a

blanket in preventing heat loss. Principal greenhouse gases are water vapour, carbon dioxide, methane, nitrous oxide and chlorofluorocarbons. Their absorption of heat energy causes the temperature in the lower atmosphere to be some 30° higher than it would otherwise be.

Strictly speaking, the Greenhouse Effect is a natural part of the earth's system and, without it, the earth would be too cold for life. What is new and what is widely referred to as the Greenhouse Effect is the significant increase within the last 200 years in the quantity of greenhouse gases. There is now irrefutable evidence that human activity since the industrial revolution has changed and will continue to change the composition of the atmosphere. Measurements of air trapped in glacial ice and in Antarctica show that, for 10 000 years prior to the industrial revolution, atmospheric carbon dioxide concentrations were stable at 280 parts per million. However, the concentrations began to increase during the 18th century and the average concentration is now 350 parts per million and rising at about 0.4% per year. Similarly, over the same period, methane concentration in the atmosphere has more than doubled, from about 0.8 parts per million to 1.7 parts per million. Presently, methane is increasing at about 1% per year.

Concentration of greenhouse gases will continue to increase in the foreseeable future. Carbon dioxide is being added constantly to the atmosphere by industrial activities, particularly the burning of fossil fuels such as coal in power stations and petroleum in motor transport etc. Clearing of forests, and the decay or burning of the trees they once contained, also releases carbon dioxide into the atmosphere which was trapped originally during the growth of the tree. Methane is released by fermentation processes in animals such as cattle and buffalo. It is also released during the mining and processing of coal and during the transport and distribution of natural gases.

Mrs Padgham-Purich: All ruminants, not only cattle and buffalo.

Mr HATTON: I take the point made by the member for Koolpinyah. It comes from all ruminants. It is also released from organic matter decaying under certain conditions, such as in bogs, rice paddies and garbage dumps.

While there is irrefutable evidence that the concentrations of greenhouse gases in the atmosphere are changing as a result of man's activity, there are uncertainties about the climate changes which may occur as a consequence of this. According to the CSIRO, however, the one certain fact is that a warmer global atmosphere will result. Currently, the best estimates of the magnitude of global heating due to this predicted increase in carbon dioxide are temperature rises of an average of 1.5° to 4.5° by the year 2030. This may not seem very much, but its implications are enormous if we consider that, in Victoria last year, where temperatures were only 1° higher than average, the result was a reduction of up to 85% in some stone fruit crops. It is obvious that a small climatic shift may affect plant growth and reproduction.

Further to this, climate change is likely to compound other environmental impacts that have already occurred as a result of human activity. Not only has human activity reduced the number of species of plants and animals, but it has already reduced the genetic diversity within species which enables them to survive adverse and changing conditions. It is possible that we could witness an increased rate of extinction in plants and animals that are unable to adjust to the changes. Of immediate concern to us are indications from CSIRO that, as a consequence of a global

temperature increase of approximately 3°, our planet's mean sea level may rise by 20 cm to 50 cm. The main reason for this is the expansion of the upper layers of the oceans and the melting of temperate mountain glaciers. It is not expected that significant melting of the west Antarctic and Greenland ice sheets will occur until much later.

We can also expect increased temperatures, although this will be variable from region to region. Increased temperatures, where they occur, will exacerbate heat waves and probably droughts. Increased temperatures also lead to increased evaporation and, in order to keep the water content of the evaporation in balance, the rainfall in some areas is also predicted to increase. As a consequence, increased rainfall intensity may occur in some regions and the severity of floods may increase also. As I mentioned earlier, Mr Speaker, there are many uncertainties about climate changes and about the implications for these on our communities at regional levels. The major tools used to investigate possible consequences of the Greenhouse Effect are global circulation models which are large computer models of the global atmosphere being developed at a number of locations around the world. These models use a range of complex variables and it is significant that all model calculations to date predict an increase in the global mean temperature. There are, however, serious limitations to the details that current calculations and models can provide.

As a consequence of this, the Northern Territory government has entered into an agreement with the CSIRO for the provision of state-of-the-art scientific advice on the regional impact of the Greenhouse Effect in the Northern Territory. It is understood that similar agreements are being entered into between the CSIRO and the states. The agreement is for research to obtain more detailed and reliable predictions of future climatic changes and their implications for the Territory. The CSIRO will compare overseas global circulation models and simulate likely climate changes for the Territory, ranging from the wet tropics of the Top End to the desert of the Centre. They will critically review and report on the projections for rising sea levels and coastal impacts and will review the impacts of climate change on specific phenomena such as tropical cyclones, fire and rainfall. I intend to report further to this House as progress reports become available from this research.

The second issue, relating to the change of gases in the atmosphere, is the destruction of ozone in the stratosphere. I will discuss this at some length in my second-reading speech on the Ozone Protection Bill. Suffice it to say at present that it is quite a separate process to the Greenhouse Effect although it involves similar pollutants such as chlorofluorocarbons. Projections indicate that the destruction of ozone in the stratosphere as a consequence of fluorocarbon use may result in a significant increase in the amount of ultraviolet radiation penetrating to the earth.

The third process which I would like to touch on is the role of other pollutants and, in particular, the process known as acid rain. Gaseous pollutants such as sulphur dioxide, nitrous oxide and, to a lesser extent, hydrogen chloride are converted in the atmosphere to form gaseous variations of sulphuric and nitrous acid. This leads to the phenomenon known as acid rain which has caused widespread concern in Europe and North America. It is believed to be responsible for a number of environmental problems including the acidification of lakes and loss of aquatic life, the leaching of trace minerals from soils and the contamination of drinking water, together with metal corrosion and damage to buildings.

It has been blamed for a multitude of environmental problems, including acidification of 2000 of Sweden's 9000 lakes, with 4000 said to be totally devoid of fish life. In Norway, the situation is considered to be even worse, with 80% of the lakes and streams in the southern half of the country being technically dead. In the Federal Republic of Germany, acid rain has been identified as one of the prime causes of tree death which currently affects some 54% of the country's forests. In fact, the Taj Mahal in India and the Statue of Liberty in the United States are both under threat from airborne acids.

To date, we have been fortunate in this country and the problem of acid rain has not been perceived with the same degree of concern in Australia as it has in the northern hemisphere. This is primarily because our current rate of emissions is relatively small in comparison with that of northern hemisphere countries and our geographic isolation from other heavily industrialised countries ensures that long distance transport of acid pollutants is not occurring. By far the highest source of pollutants contributing to acid rain is coal-fired power stations and industrial plants employing fossil fuels, together with motor car exhausts and thermal power stations.

Northern hemisphere countries are taking stringent measures to reduce the emission of these pollutants. The European community has called for a 30% reduction in sulphur dioxide emissions by 1993, and reductions of 60% in sulphur dioxide emissions and 40% in nitrous oxide emissions by 1995. While the overseas trend is for a reduction in the level of these pollutants, the situation is quite different in Australia. Unless we take action to reduce these pollutants now, we may find that our sulphur dioxide and nitrous oxide emissions will approach or exceed those of countries such as the United States and Canada within the next 20 years. As a matter of interest, the natural acidity of our rainfall in tropical areas is quite high as a consequence mainly of organic acids.

The Australian and New Zealand Environment Council meeting of 3 March will consider the development of a national greenhouse strategy for Australia. It has been somewhat of a surprise to find that that conference will continue, given that we are currently in a federal election campaign. However, I am advised that the federal government intends to breach yet another Westminster parliamentary convention and hold ministerial councils even though the parliament has been prorogued. We will attend that conference because we have a real concern about this issue. However, meeting with the representative of the federal government in the middle of an election campaign places all state representatives in a very invidious position because of the convention that no significant decision should be taken during the course of such a campaign. Nonetheless, we will be attending and I hope to report further to the Assembly on the development of that strategy.

At the international level, global warming is being addressed by the Inter-governmental Panel on Climate Change, known as the IPCC, which was established by the United Nations Energy Program and the World Meteorological Organisation and recognised by resolution of the United Nations General Assembly. The Noordwijk Declaration on Climate Change and supporting conference papers are being conveyed to the IPCC for further consideration and action. Honourable members should note, however, that the options for action to reduce the atmospheric concentrations of greenhouse gases can involve either reducing the release of those gases from their source and or increasing sinks or natural stores for the gases. The effect of both these measures is a net reduction in emissions. There is

considerable potential for reducing greenhouse gas emissions from Australian energy systems, both in the production of energy and in the efficient use of that energy.

In terms of energy production systems, coal-fired power stations discharge a considerable amount of carbon dioxide into the atmosphere. We are fortunate in the Territory in having the only power stations in Australia to employ combined cycle, gas-fired power generation which leads to thermal efficiencies of up to 48%. This is recognised across Australia as being one of the most efficient power generation systems, whilst being one of the systems which results in the lowest discharge of carbon dioxide into the atmosphere.

The CSIRO further advises that energy substitution must be phased in wherever possible. It advises that consideration should be given to increased use of solar energy, wind energy, tidal power, recycling technology, biomass energy and perhaps nuclear power. There is plenty of scope for improving the insulation of buildings and the use of low energy devices, including low wattage fluoro lighting. The government will be investigating these options further, following our deliberations at the Australian/New Zealand Environment Council meeting. As you would know, Mr Speaker, the use of solar hot water systems is widespread in the Territory and I believe that we may be leading much of eastern Australia in this regard.

Sinks or natural stores of greenhouse gases are primarily forests which play a key role in the global carbon cycle. During their growth, they fix large quantities of carbon that would otherwise have been distributed into the atmosphere. Globally, the world's forest and woodland areas have been substantially reduced since 1850, primarily to accommodate the expansion of cultivation. The largest decreases in forest area have been in Africa, Asia and Latin America. Europe is the only area which has experienced a net increase since 1850. On a global scale, reafforestation would moderate the Greenhouse Effect. The real concern at the global level is that even a small improvement in the living standards of the millions of people in Asia, Africa and China is likely significantly to outweigh any savings in terms of carbon dioxide reductions in the industrial world. In particular, the cutting down of trees for firewood, which in many areas is the only source of fuel, is having a significant effect on the rate of deforestation and, accordingly, the discharge of carbon dioxide into the atmosphere.

Many developing countries have a need to develop and utilise their natural resources in order to aim for a higher standard of living. In a number of cases, development of these resources involves the logging of natural forests for commercial timber. The federal Minister for Resources has written to me seeking the support of the Territory for Australia to provide assistance to developing countries in the management and sustainable use of their forest resources and for reafforestation and plantation management. Whilst forestry operations in Australia have been criticised by the conservation movement, the Minister for Resources considers, and I support his views, that Australia's forest operations are very professional and we are able to advise developing countries on how best to manage their forests. In fact, this assistance has been sought from Australia by the International Tropical Timber Organisation, which has agreed to investigate the development of a code of best forest management practices similar to the standards practised in Australia.

I will be advising the federal minister that, while we do not have a significant forestry industry in the Territory, we have experts who are

available to assist in providing advice on the conservation and management of tropical forests. I will also be alerting the minister to the Territory's concern in relation to the prospect of blanket embargoes on imports of tropical timbers. Such embargoes are unnecessary and emotionally generated, particularly given the need for development in developing countries and given our ability to advise them on sustainable forest management. We should note that meranti is one such tropical timber and it forms a major raw material component for the Territory's building industry.

There seemed to be general agreement at the conference that uncontrolled deforestation must stop and reafforestation must be introduced on a large scale to increase the world's carbon dioxide sinks. At the same time, the right of the developing countries to achieve better standards through industrialisation must be respected. This would probably mean assistance from industrialised countries with technology transfer and finance for efficient, clean sources of energy. One of the implications of this was renewed interest in nuclear energy as a source of electricity. This was mentioned by several delegates in papers delivered to the conference.

While renewable resources of energy such as wind and solar power might be ecologically preferable, the fact is that, at their present level of development, they are capable of accounting for only a very small part of total energy demands and this situation will remain unless technological breakthroughs occur. Questions of safety, waste disposal, fuel availability and the role of breeder reactors would have to be resolved, but it would seem advisable to resume and expand research into these areas. With more advanced technology, nuclear energy which does not result in carbon dioxide emissions could well emerge as a safer source of power than fossil fuels.

Australia is the world's largest exporter of coal, which is a very significant source of carbon dioxide and other pollutants, and Australian industry and domestic consumers rely heavily on coal as a cheap source of energy. This raises concern about the future of the Australian coal mining industry if alternative sources of mass energy are introduced worldwide. At the same time, Australia has strict limits on the export of uranium. This creates a moral dilemma which will have to be addressed at some time in the future. It may be considered environmentally irresponsible to oppose the mining and export of uranium if it presents an alternative source of cheap energy to coal. This is the time to renew and increase nuclear energy research. Australia is well advanced in this area and the synroc process developed in Australia shows considerable promise as a safe means of nuclear waste disposal.

The federal government is taking a very shortsighted approach in this issue by strangling uranium mining and nuclear research. If the Greenhouse Effect is confirmed as the most dangerous threat facing the world environment, and there is every indication that this is the case, how can this federal government justify massive exports of coal, a product which is one of the most polluting sources of energy now in use, while denying additional exports of uranium?

There are several developing countries which are locations of the world's largest carbon dioxide sinks, notably the tropical forests, and efforts by the world community to induce those countries to control the harvesting of timber and limit the clearing of their forests for agricultural purposes will have to be backed by massive financial incentives. In fact, it is the opinion of the Director of the Environment Department of the World Bank, Mr Ken Piddington, that the Greenhouse Effect provides an 'unprecedented opportunity to bring the environmental agenda to

the heart of the development debate'. Speaking at the conference, he said that one of the essential features of the bank's existing program was the full integration of environmental considerations into all its activities.

As evidenced by statements made at the Netherlands conference, the response of individual nations to the Greenhouse Effect varies greatly and depends largely on their state of industrialisation. At one end of the spectrum are highly industrialised countries such as the United States and Japan. Both countries, while acknowledging the need for action, decline to make any firm commitments at this stage to the reduction of carbon dioxide emissions. The potential dislocation to industry and the economy by the setting of substantial targets for carbon dioxide emission reduction could be disastrous for highly industrialised countries and would require very careful planning. However, the United States delegation told the conference that it was committed to research into global climate change and was considering further initiatives in energy conservation and reafforestation. It supported a worldwide phase-out of chlorofluorocarbons by the year 2000 and proposed to introduce in the interim period a system of fees to discourage CFC production and use.

The USA would also rewrite its clean air laws to reduce sulphur dioxide emissions produced by electricity generation, by motor vehicles and by industry, and this would have a flow-on effect in reducing carbon dioxide emissions through resultant energy conservation programs. The US recognised the special problems of developing countries in addressing global environmental issues and was investigating the possibility of 'debt for nature' swaps and other innovative financing approaches. This would involve the United States writing off a portion of a loan to a developing country in return for guarantees that the country would preserve, for instance, a certain area of tropical forest.

At the other end of the greenhouse spectrum are countries such as Tanzania which are struggling to feed their people and to raise their standard of living and which do not have any realistic prospect of being able to reduce carbon dioxide emission. Tanzania has a population of 23.2 million people and a per capita gross national product of about $250. Its representative told the conference that wood supplied 91% of the country's energy demand and 97% of wood was used for firewood. Agriculture was the backbone of the country's economy, contributing about 46% of GNP and 80% of foreign exchange earnings. However, 83% of agriculture used traditional clearing and burning methods. As a result, and despite a massive government reafforestation program, about 0.5% of Tanzania's natural forest cover was lost every year. It was clear that, if Tanzania and other developing countries in similar situations were expected to reduce carbon dioxide emissions, they would have to receive financial aid on a large scale to introduce alternative sources of energy and possibly other aid to introduce better farming methods. It is unreasonable to expect that countries such as Tanzania should remain at their present level of industrialisation. At the same time, these developing countries do not have the resources to acquire the most energy efficient and non-polluting technologies.

As far as the Northern Territory is concerned, we are already well advanced towards reducing our carbon dioxide emissions, although there is much more that can be done. Nearly all of the Territory's domestic electricity needs are met by natural gas-fired power stations. Natural gas as a fuel has a lower output of carbon dioxide and a very much lower output of other pollutants than other fossil fuels. Solar-augmented electricity generating systems are in limited use in remote localities and research is

continuing in this area along with investigation into more efficient DC/AC converters.

The government is continuing its program of extending the electricity grid to remove the need for small diesel-powered generators and is investigating the possibility of extending the Alice Springs to Darwin gas pipeline to allow the replacement of liquid hydrocarbon fuels with natural gas for electricity generation in other areas. In Alice Springs, a trial is being conducted to test the feasibility of converting heavy road transport to use liquefied natural gas. Another transport project,the Darwin to Alice Springs rail link, would reduce carbon dioxide emission by reducing reliance on less efficient heavy road transport. In conclusion, the government would welcome the support of this Assembly for the steps that we are already taking and the development of new initiatives aimed at reducing emissions of greenhouse gases.

Mr Speaker, I move that the Assembly take note of the statement.

Mr EDE (Stuart): Mr Speaker, last night, instead of doing something sensible such as going to sleep, I pored over this speech looking for some indication that the money that had been spent on the trip was worth while. Even worse than that, and to my disgrace, I inflicted the same punishment on my electorate secretary, who had to examine a pile of notes and try to type something of interest. It is all very well to put together a long, turgid and uninteresting lecture on one side of the debate on climatic change. However, I am at a loss to understand why the minister had to spend so much time of the House on the matter.

I am not an expert in every aspect of climatic change and I am still not an expert after listening to the minister's speech - but I had hoped that I would hear something about the effects on the bush. I wanted to know what the effects would be in the Northern Territory in respect of lands and primary industries. There was nothing at all in the statement except a regurgitation of back issues of New Scientist or Scientific American.

Mr Reed interjecting.

Mr EDE: Mr Speaker, I hear the Minister for Primary Industry and Fisheries interjecting. No doubt, he will rise to tell us about the effects. Maybe I should have waited a little longer.

Be that as it may, I am sure that all honourable members have read some of the information that is available. In fact, I am quite puzzled as to why the honourable minister decided to go as far as The Hague. He could have spent considerably less money and done as I did. He could have walked up a couple of floors on the other side of this building and he would have found the Parliamentary Library. He could have found interesting predictions in the Petroleum Gazette where Sir Arvi Parbo said that, whether the Greenhouse Effect is real or not and whether or not the consequences are as stated, 3 predictions can be made with absolute certainty even at this early time: first, there are votes to be won by being loudly concerned about it; second, there will be a flood of legislation dealing with it; and third, a great new worldwide growth industry will be born - government bodies, inquiries, advisory councils, international conferences, consultants, research projects, publications and so on. This is one of those occasions when I most certainly agree with Sir Arvi Parbo.

We have witnessed statement after statement from this government regurgitating material from back issues of Scientific American. We have had

ministers tripping off to conferences and no doubt, before long, we will have consultancies and our own local conferences and the cost will rise. This will do nothing to assist in relation to the Greenhouse Effect. Indeed, it will possibly exacerbate the problem because of the timber that will be cut down to provide the paper involved.

The Petroleum Gazette 1989 states: 'Greenhouse Effect - More Hard Data, Less Conjecture Necessary'. It includes an interesting paper on some of the other aspects of the debate which were not mentioned anywhere whatsoever in the honourable minister's statement. He could have also examined articles in some of our local papers. There was an interesting article entitled, 'Greenhouse Fears Fuel Polar Study', published in The Australian on 20 September. There have been many others. Here is one for the member for Sadadeen: 'The Tropical Chainsaw Massacre'. That was quite an interesting article in the New Scientist of 23 September 1989. In October 1989, the same magazine had an article entitled 'Fighting Over Malaysia's Forests' and, in November 1989, 'First Under the Greenhouse Flood'. These are further discussions on the same point.

He could also have looked at some of the political ramifications discussed in Time of 13 November 1989. In the New Scientist of 4 November 1989, an article called 'The Shelf Life of Antarctic Ice' discusses the warming as a result of the Greenhouse Effect and it discusses the clues to climatic change which lie in the floating ice shelves which fringe the Antarctic. The Mining Review of August 1989 discusses how real the Greenhouse Effect is. There is discussion of the various models which have been used for research.

He could have looked at the Economist of 2 September 1989 which has a very extensive article: 'The Environment and the Politics of Posterity'. It discusses some of the issues in great detail, including the question of what needs to be done in order to arrive at a situation where the problem is stabilised. Mr Irving Mintzer of the World Resources Institute used a computer model to show how the commitment to future warming might stabilise by the year 2060. He had to make some crucial assumptions. He assumed that the world population would stabilise at about 8 billion in 2075. That is the United Nations low estimate - its median estimate is much higher. The economic growth per head from 1975 to 2075 is to about 3% globally. However, in developing countries today, real income per head is growing at the rate of 4.6% a year. By 2025, this trend would lift real incomes in those countries to about the level of Denmark's in 1975, quite a substantial level.

Also postulated was an annual improvement in efficiency of energy use of 1.7% to 2.4% in today's industrial countries and 1.4% to 2.3% in the developing world. In the past decade, the improvement has averaged just over 1% a year so there has to be a very substantial increase there. It could possibly be done with existing best technology but would require a sharp price increase for fossil fuels. Gas and oil prices would have to quadruple in real terms, coal prices triple by 2025 and then decline as coal demand falls. Coal has to be largely replaced by 2075 by natural gas, solar, nuclear and renewable fuels, with the use of CFCs stopped by 2020 in the industrial world and by 2050 in the developing world. It is an interesting article. One does not have to go to an international conference to read it. It can be read in our own Parliamentary Library.

One could also read Business Review Weekly which presents the view that it is time to stand up to the greenies in the interests of balance. Australian Business of 11 October 1989 contained an article on environmental

consciousness expanding to the villages. Business Review Weekly had a very long and quite interesting article on the environment on 29 September 1989. The Canberra Survey contained a copy of a statement by our own Prime Minister in July 1989. I am sure that honourable members opposite would have read that with great interest. The New Scientist of 17 June 1989 contained an article about the end of ice ages. The article states that ice ages have occurred regularly over the past million years and that the next one was due to commence soon, unless the Greenhouse Effect prevented it occurring or counterbalanced it. Various people have argued that the 2 phenomena will balance each other out.

The cover story in The Bulletin of 6 June 1989 was the greening of Australia. It discussed the political power of the greens, who they were and various options for courses of action. It was all laid out in The Bulletin, not at an international conference. The Times of 31 July reported that miners, foresters and farmers welcomed Hawke's environmental blueprint. Mr Speaker, I refer to that to demonstrate that many people supported the Prime Minister's approach.

'The Earth and Its Energy' contains an article about living with the Greenhouse Effect. It says that, although scientists differ about the extent to which our climate has already been altered, they agree that only dramatic changes in how we live can halt the earth's dramatic warming. It is all in there, Mr Speaker. It even has pictures, which the honourable minister's speech did not.

Mr Perron: How many federal government representatives went to this conference that was a waste of time?

Mr EDE: There may have been a reason for federal ministers to be there. I do not know how many of them attended, but I will come to the point which I really would have liked the minister to address and which could have turned the expenditure on his attendance at the conference into something of real relevance with a return for the Northern Territory.

Mr Coulter: You have never said anything that was relevant to the Territory before. Now you have our interest.

Mr SPEAKER: Order!

Mr EDE: Mr Speaker, the Good Weekend of 19 August 1989 contained an article on the survival of the greenest. It showed how supermarkets are capitalising on the Greenhouse Effect. We can also read about the comments of Barry Jones. Another article is headed, 'The Sky is the Limit for Planet Earth'. As I said, all the information is there in our own library. One does not need to go to international conferences to prepare a speech like the one which the minister has just delivered. That is absolutely unnecessary. It is a waste of time and money.

The minister has outlined some of the projects which are occurring in the Northern Territory. To the extent that they are effective in reducing emissions of gases which affect climatic change, I can support them. What I would have liked to have had, however, is a discussion of exactly what this government is doing about working in cooperation with nations in the arid and semi-arid zones of the world to develop the appropriate technology to deal with some of the problems.

When this minister held the conservation portfolio previously, and when other ministers held it, I advised them that an Alice Springs scientist had

developed a machine which was acknowledged as a real breakthrough in terms of replanting degraded soils and developing arid soils. The person concerned wished to develop the concept into a business enterprise, to sell the machines throughout Australia and to export them to countries in arid and semi-arid areas around the world. The government's response was: 'No way'. It would not release the designs and, as far as I know, no further progress has been made. That is absolutely outrageous.

If we are to do something more than simply talk about the Greenhouse Effect and environmental degradation, we should be using the fact that this is virtually the only first-world nation which occupies the arid zone. We have the ability, in places like the Arid Zone Research Institute in Central Australia, and through the efforts of CSIRO, to develop technology which could be utilised throughout the world to do some real good for people living in arid and semi-arid zones and, consequently, some real good for ourselves by expanding our technological base.

I do not think that we have come anywhere near to defining our role in sorting out our environmental and climatic problems. It is some 20 years since the debate on the establishment of a new world economic order was held through the extensive networks of the United Nations. That debate was killed by the great divide which existed between eastern and western blocs. Now that the east-west divide has collapsed, one would hope that something will be done to resolve the problems of international indebtedness which are the fundamental cause forcing nations to seek quick returns by degrading their forests rather than exploiting them in a sustainable way. Nations are forced to do that in an attempt to pay off debt and to respond to their people's needs for better standards of living.

Having done our bit to destroy the world in the 1800s and 1900s, we cannot stand in the way of other people who want their place in the sun. We have no right to say that they must continue to live as noble savages in primitive conditions because we do not want them to muck up the environment. We have to learn that the world is an oyster and that what affects one part of it affects the rest. If we expect other nations to improve their economies without destroying the total world environment, we have to do more than simply attend conferences and pour forth holier-than-thou statements . We have to try to find some solutions. For example, here in the Northern Territory, we should be using institutions such as our university to develop new ideas which can result in the transfer of appropriate technology to nations in the same climatic zones as ourselves. That is the way to do something for nations in the semi-arid zone.

Mr Speaker, I suppose that the debate has progressed to some extent. I recall reading in the Centralian Advocate in the latter half of 1988 that the Chief Minister had delivered a major speech on the Greenhouse Effect to a conference in central Australia. As I remember it, the Chief Minister spoke as if he occupied his position in the latter half of the 21st century. His most widely reported observation from that vantage point focused on the advantages which the Northern Territory would gain from the ecological disaster known as the Greenhouse Effect. He waxed lyrical about the Northern Territory being turned into the grain bowl of Asia by the increased rainfall resulting from climatic changes. He spoke quite wistfully of the Territory feeding the starving masses, most of whom would no doubt have been living in houses raised on high stilts on very small islands, by virtue of the fact that lands which had been dry in the 20th century had subsequently been inundated by the same beneficial rains.

I remember quite clearly the absolute outrage of CSIRO scientists and other people in this field of research at the crass stupidity of the Chief Minister's remarks. I am pleased that the Minister for Conservation has at least returned us to something like the mainstream of informed discussion on these matters, rather than disappearing into cloud cuckoo land with visions of thousands of acres of wheat being grown in central Australia.

Mr Perron: It certainly won't be growing in South Australia.

Mr EDE: We know exactly what is happening to the environment there, Mr Speaker, and their soils have a much greater build-up of humus than the soils of central Australia.

There is nothing in the minister's statement which indicates that it was necessary for him to attend the conference, which turned out to be a wasted opportunity. If the minister had come back with some indication that he had worked with people from places in the savannah belt or from semi-arid areas in the poorer parts of the world, and had developed some technology transfer agreements or something of that nature, we could have congratulated him. However, he has not done any of that. He has not told us how climate change will affect the Northern Territory. As Sir Arvi Parbo said, all we are getting is more conferences and more promises by politicians leading, one assumes, to more attempts to convince people in the Northern Territory that somehow members of the Northern Territory government have become green, or at least greener than they were when the Chief Minister was predicting that the arid zones of central Australia would become the wheat fields and rice bowls of Asia.

Mr COLLINS (Sadadeen): Mr Deputy Speaker, I know that these topics have arisen from time to time and have been subject to discussion in this House. It is important for us to inform ourselves about the problems and steep ourselves in them, even though the answers are not totally clear by a long shot. Often, it seems to be very much like gazing into a crystal ball seeking to define what the outcomes will be of increased gases in the atmosphere which would enhance the Greenhouse Effect.

The best news on the subject that I have read in recent days is that the models and the predictions from the recent ANZUS conference, which the media seemed to seize on to predict dire consequences, are now being subjected to better analysis, resulting in rather more optimistic comment. Some more recent articles related that one scientist said that, if what scientist A reckons will occur does occur, the computer model indicates that such and such will be the consequence. The problem with computer models is that the extent of any input affecting the subject under study is a matter of guesswork. That does not provide us with a great deal of faith that we are on top of the problem at this stage. The computer models used are similar to those used to predict the weather and we all know that weather predictions are not accurate yet. The predictions come close to the reality at times but, at other times, they can be way off track. Much of what we are told about the Greenhouse Effect stems, to some degree, from conjecture. However, that does not mean that we should not examine the problems and determine what we can do in a practical sense.

The other night I was watching a television program. I did not catch its title, but some other honourable members may have watched it too. It was about an African country where the people use cooking pots made from iron from 44-gallon drums etc. These pots have a metal lining in the middle and air holes underneath. The program indicated that some 2000 million people in the world cook their food each day using wood as fuel. That

necessitates the chopping down of many trees. As has been indicated, trees and the green plants, through the process of photosynthesis, create the effect that will take carbon dioxide out of the atmosphere. I am sure many of us learnt at school, in a simplified form, the equation which, as I recall it, states that 6 carbon dioxide molecules plus 6 water molecules, with the energy from sunlight and with the help of the enzyme chlorophyll from green plants produces $C_6H_2O_6$, which is a simple form of sugar, plus 6 oxygen molecules. By this means, carbon dioxide is taken from the atmosphere and oxygen is released in its place. The energy of the sun is stored in the chemical bonds in the sugar and is the basis of virtually all foods. Plants will make more complicated molecules, such as starches etc from it, and every animal on this earth depends on the photosynthetic effect for its food supply. However, I am looking basically at the sink effect of the green plant removing the carbon dioxide and so reducing the greenhouse gases.

The television program indicated that the people of a particular country had learned to make a clay inner liner for these metal pots. Metal is a great transferrer of heat by radiation. By the use of this clay lining in the pots, the amount of wood necessary for heating is reduced by 50%. That sounds to me like an exceedingly marketable product. The benefits of using 50% less wood are obvious. Clay is easily obtainable in most parts of the world and the technology is simple. This reminds me of the appropriate technology shop in Alice Springs and I think that even our Aboriginal people may find some use for such devices.

I would like to add to that something that was used by an old character from Alice Springs. He does not live in Alice Springs any longer. Actually, I first met him when I lived at Wilunga in South Australia. His name is Albert Schultz. Albie is a real character and a bushman in many ways. He has a simple device that he uses when he goes bush. He has a 4-gallon drum, cut in half, with a few holes drilled in it and a couple of bars across it. He lights his fire and does his cooking in this. When he has finished cooking, he places half of a 12-gallon drum straight over the top. The carbon dioxide that is produced as a result virtually extinguishes the fire although the heat is retained. This conserves a considerable amount of fuel and eliminates the danger of a willy-willy spreading the fire and starting a bushfire. It is a neat little device. All it requires is a 4-gallon drum and a 12-gallon drum. If it were fitted with the type of clay lining shown in that television program, that would retain the heat and help to conserve fuel. It might sound simple but, when you multiply it by the cooking needs of 2000 million people, thousands of trees could be saved and wastage of fuel would be reduced without releasing massive amounts of carbon dioxide. Of course, if fewer trees are used as firewood, those left growing will grow larger.

We are all aware from what we learn from the media that the predictions are that the Amazon rainforest will be gone by about the year 2030 if logging continues at the present rate. Of course, that is a great concern because it does not appear that the timber is being used as fuel but rather that it is logged and burned as part of a clearing program so that the land can be used for agricultural purposes. I am sure that the end result may well be the situation we have found in Australia. If too many trees are cleared, the ground becomes saline and that presents very serious difficulties which will require the expenditure of large amounts of money and the application of considerable technology to redress.

Turning to page 5 of the paper, I was rather interested in the Chief Minister's comment about the stone fruit crop in Victoria. He said some 85%

had been lost because of a 1° average increase in temperature over the previous year. I really find that a little hard to believe. It reminds me rather of a fellow who was going around, clapping his hands and making strange noises. Another man asked what he was doing and he said that he was keeping the lions away. 'But', said the other man, 'there is not a lion within 1000 miles of here'. 'Yes', replied the first, 'effective, isn't it?' In respect of the Chief Minister's comment, I do not see the cause and effect.

I have a few connections with people in Victoria who grow stone fruit trees and, as occurred with my grape crop, their stone fruit crop was wiped out by rather powerful hailstorms. However, in this regard, science does have some answers. Studies have already been undertaken into the effects of temperature increases and the production of low-chill requirement stone fruits has commenced. I have mentioned that subject in the Assembly before. In fact, had it not been for that same hailstorm that wrecked my grapes, I would have had the first commercial crop of nectarines that the Territory has ever produced. The nectarines were wiped out as well, but that is one of those things that happen. However, success can be achieved with varieties suited to hotter climates and the use of certain chemicals. Only the other day, I learned that people will be producing cherries in the Menindee area. They can do that only by applying certain chemicals to the cherry trees at a certain time to force the bud burst. I have been led to believe that I could possibly use the same technique myself, which is a matter of interest to me personally.

There is increasing concern about coal-fired power stations and the fact that they produce masses of carbon dioxide, sulphur dioxide and oxides of nitrogen. There are some 5 oxides, all of which, when mixed with water, form acids resulting in acid rain. I always felt that it was rather odd when the construction of the dam in south-west Tasmania was stopped. The intention was to install a hydro-electric scheme, which is the cleanest form of energy generation available. Of course, the compensation was a coal-fired power station. It was all a little bizarre. I felt it to be bizarre then, and I feel the same about it today.

The minister spoke about ozone depletion, and I do not know whether that is really quite the right term. As I have tried to explain in this House before, the sun emits a whole range of radiation, from infra-red or heat radiation to visible radiation and more energetic shorter-wave radiation such as ultraviolet light. The ultraviolet light can be the cause of burning and cancer and therefore is of considerable concern. But in the atmosphere, particularly with the oxygen, there is a reaction. Energy from the ultraviolet light radiation coming directly from the sun to the earth can be absorbed by oxygen molecules, O_2 as the chemists call them, to signify 2 atoms joined together. The radiation splits them to form O_3 molecules. One atom of oxygen splits off and joins up with a molecule. There is a dynamic equilibrium between three O_2s giving two O_3s. The reverse occurs and the ozone O_3s break down and reform the oxygen molecules. However, this happens only with the ultraviolet energy coming from the earth being absorbed by the oxygen molecules, producing the O_3 and the O_3 breaking down to normal oxygen molecules. The energy absorbed is re-radiated as a photon or a burst of radiation.

The important thing is that it does not go straight towards the earth. It scatters off anywhere within 360°. If we did not have the atmosphere, much of the radiation would come straight to the earth. Much of it is scattered and we have protection from radiation. As I understand it, the CFC molecules tie up the ozone and stop the process. The actual absorption

occurs when O_2 goes to ozone. If there were no breakdown back to normal oxygen, once all the oxygen had been used up, the radiation would come straight through. It is vitally important to have the dynamic equilibrium of the re-radiation of the absorbed ultraviolet light.

Acid rain is indeed a big problem. There was reference in the statement to the acidification of 2000 of Sweden's lakes and of 4000 being devoid of fish life. That is one of those little things that could be checked. It is a wholesale problem which will have to be faced. The day will come when we will have to look towards alternatives to coal because of the acid rain that it produces. Australia produces a great deal of coal and there may be considerable pressure on us to close our coal mines.

I am surprised that the fuel cell has not been mentioned. It is something that I have spoken about in this House before. It is a device which can convert hydrogen and oxygen directly by recombining them. As we know, these would burn with quite an explosive force. However, in a fuel cell, the energy is converted directly into electricity with about 98% efficiency. If you use the hydrogen as you use gas in a reciprocating engine, you will have about 25% efficiency. The fuel cell lends itself to the efficient use of energy. I am sure that members can find out more about fuel cells at the library if they so wish.

I agree entirely with the minister that our federal government has put its head in the sand when it comes to nuclear research and safety methods. It would be much easier to handle a few hundred or thousand tonnes of uranium waste a year than to handle the huge amounts of waste - and the huge amounts of radioactive waste - from coal-fired power stations. The amount of such waste ought to be of concern to us.

Nuclear fusion is a process whereby light molecules or atoms such as hydrogen and tritium, one of its isotopes, are combined to produce elements such as helium. This destroys a considerable amount of energy and produces very little in the way of radioactive waste products. Many hope that this can occur. However, the control of this process is what is occurring continually in the sun. We all know the old slogan - 'solar not nuclear'. The answer is that solar is nuclear. That makes that slogan a load of nonsense to me.

As the member for Stuart said, history shows that there have been times when the earth has cooled considerably. In the 17th century, you could skate on the River Thames. That is something which has not been possible for the last couple of hundred years. That tends to indicate that the sun's output, our primary source of energy, may vary from time to time. If we are entering an ice age, we may be glad that we have increased the gases which enhance the Greenhouse Effect and warm the planet. On the other hand, if the sun's output becomes greater, we will wish that we had done much more. In many ways, it is a crystal ball situation. However, there are measures that can be taken. For example, widespread use of the clay-lined pots which I referred to can greatly reduce the number of trees that are felled. This will enhance the greening of the planet and the natural process of reversing the excess emission of carbon dioxide.

I welcome the paper. We need to learn as much as we possibly can about this matter. In particular, we should look at practical ways in which we can contribute to the answer to the perceived problems. I trust that, as further research occurs, we will have a clearer picture of where we are headed and that the actions that we take will be the right ones for the conditions imposed on us.

Mr BAILEY (Wanguri): Mr Speaker, I would like to reply briefly to the paper delivered by the honourable minister. We seem to be having a number of these papers which express generalisations and platitudes about environmental issues. This paper is largely a summary of observations on the Greenhouse Effect and the ozone layer at about grade 8 science level. The member for Sadadeen continued with the grade 8 science lesson. It would be nice if some of the facts were a little more accurate.

Mr Reed: Are you going to quote from anything?

Mr BAILEY: Oh, no. The statement by the honourable minister seemed to go nowhere. It was a non-committal summary of nothing, a climbing on the band wagon of green issues without actually doing anything.

Mr Reed: You are the opposition spokesman. Give us your views.

Mr BAILEY: What we see from this side is the need within the Territory for some real action to be taken on environmental issues. At the moment, one of the main concerns of environmentally concerned people within the Northern Territory is the lack of freedom of information in respect of environmental issues. As long as this government continues to keep secret information from preliminary environmental reports, the debate on the environment will not be furthered within the Territory. For example, at the moment, I believe there are 2 PERs doing the rounds to which people concerned about the environment would like to have access. I may be wrong because we cannot find out. It would appear that there is a PER in relation to noxious chemicals for a heavy industrial site in the East Arm area. Environmentalists are seriously concerned and would like to examine the PER to determine whether the project would be good or bad for the environment. However, the PER is a confidential document.

There is a PER on the Mary River proposal by Mr Walker. PERs are prepared, but they are not open for public perusal.

Mr Perron: EISs are the ones that are made public.

Mr BAILEY: How many EISs have been done? How many PERs lead to EISs? PERs are used as a smokescreen so that the public is not made aware of the issues involved.

Mr Speaker, as I said, I wanted to speak only briefly on this statement from the honourable minister. What I am saying is that, until the environmental debate is put in the public arena and people have access to important information on environmental issues, this government will stand condemned for its lack of real concern about the environment.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, in rising to speak to the minister's statement, I find myself wondering how many more such statements we will have delivered at the next sittings, the sittings after and the sittings after that. I believe that the minister has to take to its logical conclusion the consequence of delivering these statements. The more statements he makes, the more paper is needed to circulate them to all of us.

Mr Hatton: It is okay if you recycle the paper.

Mrs PADGHAM-PURICH: Is this paper recycled? I bet it is not.

Mr Speaker, I do not really have anything to argue about in the contents of the minister's statement. What he says makes sense, except for a couple

of things with which I would like to take issue. The first concerns the honourable minister's mathematical knowledge. At page 3 of his statement, he talks about the short-wave energy from the sun arriving at the earth. He says that about one-third of that energy is reflected back to space and that, of the remainder, approximately one-third - that is, one-third of two-thirds - is absorbed by land and ocean surfaces. Is that two-thirds of the whole or two-thirds of two-thirds?

Mr Finch: Four-ninths.

Mrs PADGHAM-PURICH: Four-ninths. We are right.

Mr Speaker, I was very interested in the honourable minister's remarks regarding methane emission and the importance of methane concentration in the atmosphere, as well as the minister's observation that methane gas is emitted by cattle and buffalo. He would have sounded much more educated and scientific if he had said 'ruminants'. Cattle and buffalo are ruminants but they are not the only ruminants. The honourable minister said that methane concentration in the atmosphere has more than doubled from about 0.8 parts per million to 1.7 parts per million.

I would like to read from an article in The Australian which commented a couple of weeks ago on the amount of methane emitted into the air, which is very relevant to what the honourable minister said today. The article referred to a Dr Richard Bright, who was born in the 18th century and was physician extraordinary to Queen Victoria. It says: 'As a young doctor studying at the Pneumatic Institute, he worked on a thesis that tuberculosis could be controlled by inhaling the breath of cows'. That phrase puts it very nicely. We all know what 'breath' means in this case. 'The cows were brought into the bedrooms of unhappy suffers for that purpose. As the animals were readily available, such experiments were reputedly carried out despite the protests of ladies'.

Mr Speaker, we now come to the important information. I would like to stress the importance of this to the minister because I really do not believe that he realises the importance of ruminants in generating income for the Northern Territory. Our cattle industry is very extensive and we hope that it will grow further when BTEC is completed. Of course, we have other ruminants as well. The average cow emits about 100 L of gas into the atmosphere every day. If this gas could be harnessed, it would take only a few cows to heat and light the average home.

Mr Collins: Can I have a blue one?

Mrs PADGHAM-PURICH: Mr Speaker, this is ridgy-didge. CSIRO is working on a pill which will reduce this emission of gas. I do not want to use a particular word because it is not polite.

Mr Collins: Flatulence.

Mrs PAGHAM-PURICH: CSIRO is working on a pill which will reduce this emission of gas by at least 20%, the methane equivalent of 2.6 million tonnes of coal in Australia. In other words, the present local cattle population produces a volume of methane gas which is equivalent to 13 million tonnes of coal. Australia exports 110 million tonnes of black coal and the total world production is 326 million tonnes. There are 790 million cattle in the world and therefore their total methane production is equivalent to over 350 million tonnes of coal, which is more than the total amount of black coal mined throughout the world.

We are letting a chance pass by, as are the states, if we do not do something about the methane emission from ruminants. I have spoken on this subject before and it is not ...

Mr Coulter: What about seaweed? What are you going to do about that?

Mrs PADGHAM-PURICH: We have not got to seaweed yet. All I am interested in ...

Mr Coulter: Feed it to the cows and you would only have half the problem.

Mrs PADGHAM-PURICH: I am talking about the emission of methane gas from ruminants. If the minister is genuine in his concern about the Greenhouse Effect and reducing it in years to come, he should seriously address this matter.

The honourable minister went on to say that we can expect increased temperatures, although this will vary from region to region. I know that the Northern Territory government has asked for the help of the CSIRO in the Northern Territory to form a committee to examine the Greenhouse Effect on conditions in the Northern Territory. I would like to ask the honourable minister if it is too early for a report of some sort to have been produced by that committee. Certainly, it seems to me, speaking very personally, that, so far, this wet season is one of the driest we have had. I have read scientific predictions that the eastern states and the south-west of Western Australia would become increasingly dry. The very heavy rainfall in those areas during the last couple of months has given the lie to that.

There is more to the matter than the airy-fairy talk in which the minister has engaged in his statement and which no doubt will arise in other pronouncements on this all-embracing subject of the Greenhouse Effect. The government and the minister have actually to suggest ways in which individuals can help the situation.

The honourable minister said in his statement that increased temperatures will lead to increased evaporation of surface water. That makes sense and nobody would argue with it. It leads me to ask, however, whether the Minister for Conservation or any officers of the Conservation Commission or other interested individuals have done any work on encouraging people to install tanks to collect rainwater. I live in a house of 18 squares. During a normal wet season, we receive what I am still old-fashioned enough to refer to as 60 inches of rainfall. The roof of a house of 18 squares collects about 50 000 gallons of rainwater per wet season, and that is a hell of a lot. I believe that the minister could address this issue in the context of preserving our water resources in the Northern Territory. The honourable minister also mentioned the work of the CSIRO which leads the field both here and in the states. I would like to see a progress report on the CSIRO's work in the Northern Territory.

I am very pleased that the subject of acid rain is not of importance in Australia, as it is in Europe. It would be very difficult to live with. From what I have read, I believe that the incidence of acid rain in particular parts of Europe does not come from industries in the immediate area but from industries many hundreds of miles away. In other words, nations do not have control of the situation within their own borders.

My attention was drawn to another paragraph in the minister's statement: 'There is plenty of scope for improving the insulation of

buildings and the use of low energy devices, including low wattage fluoro lighting'. I can say to the minister that, whilst what he has said is not exactly a lie, it makes a lie of information that I have received. It certainly makes a nonsense of the work which the Northern Territory is doing. A year ago, I wrote to a public servant in the Department of Mines and Energy suggesting that it would be more energy-efficient to install a single 40 watt fluorescent tube in the Supreme Court building than to install two 20 watt fluorescent tubes in particular arrangements. I was speaking both of the installation costs and the amount of lumens which would be emitted. It took a year for a reply to my letter to arrive, and I received it only after I rang up and politely asked the gentleman in the Department of Mines and Energy when I could expect a reply to my letter. He then referred me to the Department of Transport and Works which, one could say, also took a year to answer that letter.

A member: Oh no.

Mrs PADGHAM-PURICH: It did and, if you want a name, I will give you one.

Mr Speaker, within 2 weeks, I received a reply. It was a nice polite reply which apologised for taking a year to answer my letter. However, it did not say much else. It more or less said: 'You might be right in your information about more lumens being given out by one 40 watt tube than two 20 watt tubes, but we intend to go ahead and do it anyway'. That makes a nonsense of what the honourable minister has said, and it is simply 1 example of which I happen to have personal knowledge.

I was very interested to read that the honourable minister believes that Australia's forestry operations are very professional. He says that he agrees with the federal Minister for Resources. I wonder whether the federal minister's views have been conveyed to all those loggers who stand to lose their jobs in areas where logging is to be prohibited. If forestry operations are professional, without going into detail, I would say that they replant as much as they take. If they take from an area, they replant in that area. That being the case, I support logging interests. If they are professional in their approach, I cannot see why there is such a fuss in many places down south. Perhaps the honourable minister could convey those views to the logging interests down south because I am sure that the federal minister has not done so.

So far as the mining and export of uranium is concerned, Australian interests will need to readjust their thinking as time goes on. It is very easy for us to say that we cannot mine uranium because of all the damage it will do to the planet, to the atmosphere and to people. The people who oppose uranium mining always cite grand disasters like the Chernobyl disaster which, without any argument, was a dreadful occurrence. Many people were killed and many people will die in the future. However, many more people have died as a result of coal mining than as a result of uranium mining. In Australia, we do not have the same winter heating demands which Europe has. As European countries restrict the use of fossil fuels because of atmospheric pollution, uranium will become more and more important in the generation of electricity for heating.

As other honourable members have said from time to time, Australia is a bit of a bunny on this because we belong to a world group, the membership of which controls the exporting of uranium, and that group has prominent members from Canada, a country which does not have anywhere near the restrictions on the mining and export of uranium that Australia has. Of course, it will say that Australia should have World Heritage areas here

there and everywhere and agree with the view of the federal government that we should not mine uranium here. Naturally, Canada will agree with all the restrictions imposed in Australia because it is laughing all the way to the bank while we do not mine uranium. Canada obtains a good price for its uranium. I think common sense will have to prevail in the future and we will have to mine uranium, under safeguards of course, as any sensible miner would agree.

The honourable minister went on to talk about the developing countries which have the world's great carbon dioxide sinks. I had not heard that expression before. It does not sound very flattering, but I know what it means after reading a description of it in the honourable minister's statement. He then spoke about the trees which are cut down in developing countries because people need warmth or because they need fuel for industrialisation or simply in order to stay alive. Before we start talking about depredations in forest areas in other countries, we should look around the Northern Territory. The Minister for Transport and Works should be concerned not only about desert oaks that, very unfortunately, were felled by certain people who are not really interested in preserving our natural flora, but also about some of the work that his department does along the sides of roads. It is true that it engages the Conservation Commission to plant trees, but it also bulldozes quite a few more. If the honourable minister wants details, I will give them to him.

Mr Manzie: It is done only for safety purposes.

Mrs PADGHAM-PURICH: That may the case in respect of some of the trees that are removed or pruned, but it is certainly not true of all of them.

While I am on the subject, I also have very adverse comments to make on the work of NTEC, as it was known in the past. It is called the Power and Water Authority now. I believe that matters are improving slightly. However, I am referring to the the way in which trees lining the side of roads are pruned and the prunings are left. I had rather more than a stand-up argument some years ago when officers of NTEC cut all the trees between the road pavement and our fence. The lopped branches broke fences and the stock got out. It took many weeks for us to get them back. I was not awfully impressed, and I let them know it.

Actions like that need to be checked. As members of parliament, not only do we need to talk about conserving nature's resources and leaving the world at least as good a place, if not better, than we found it, but also we need to discuss these matters with everyone with whom we come in contact. We need to get rid of the perception that, if one talks about using unbleached toilet paper and pure soap and not using CFCs as propellants in sprays, one is a bit of a greenie - and no one wants to have much to do with greenies - or one is a bit of an old woman. That perception needs to be reconsidered and it has to be stopped. Any sensible person must realise that we must consider the environment if we want at least to leave the earth in as good a condition as we found it when we arrived on the scene.

Mr FLOREANI (Flynn): Mr Speaker, I rise to support the honourable minister's statement. I think everyone is now discussing and is concerned about what we are doing to this planet Earth. Whilst I do not know a great deal about the subject, I found the minister's statement very informative and I compliment him. It was mentioned earlier that many Year 8 students probably know a great deal about this subject, and I would agree with that. I believe most of our school students are very conversant with the topic and probably know much more than do many adults. Statements such as this can

only help our understanding of where we are heading as a territory, as a nation and as a member of the world community.

Whilst I found the statement to be informative, I also found it to be very frightening, particularly in regard to the Greenhouse Effect and acid rain. The belief is widely held that temperatures will continue to increase and the impact that may have on this planet in terms of problems related to plant and animal growth and reproduction is quite horrific. The implications of rising sea levels are very worrying. The acidification of lakes and the loss of life in those lakes is horrifying. To learn that 4000 of the 9000 lakes in Sweden are now devoid of fish is really quite scary, as is the statement that 80% of the lakes in Norway are dead.

I have some experiences that I might share with honourable members. I have some friends who come from Switzerland and 2 things that they have mentioned to me may be of interest to members. In the past, the forests in Switzerland held back the snows that cover the slopes of the valleys in which many villages are built. The trees are now dying at such a rapid rate that the people are forced to create fences from tin and other materials and to reinforce them with large steel posts to hold back the snows. They mentioned also that, as a result of the huge pollution problems, severe bronchial problems are experienced by children in certain villages that are not far above sea level. In villages that are higher in the mountains, the incidence of bronchial problems decreases.

I think that anything that we can learn from experiences overseas and anything that we can do to contribute to making this planet cleaner and better is a great thing. Therefore, I support the minister's statement. I think the general thrust of the government's approach in relation to this matter is spot on, and I compliment the minister.

Mr HATTON (Conservation): Mr Speaker, I thank most honourable members for their contributions to this debate. I do that with a couple of notable exceptions and I refer particularly to the Labor Party members who sit on the benches opposite at times when they are present in the Chamber. We are becoming accustomed to the standard of performance of the shadow spokesman on the environment, the member for Wanguri. His total contribution on any conservation issue appears to be carping criticism blended with participation in tree-planting exercises organised by somebody else. Beyond that, I do not think that he has had a positive contribution to make to the conservation debate in his entire life, and today was no exception.

Here was an opportunity for the shadow spokesman on the environment to stand up in the parliament of the Northern Territory and state the opposition's policies and ideas as to what can be done to deal with problems relating to the Greenhouse Effect. What did we get? A complaint about alleged secrecy of preliminary environmental reports. It really was amazing. The level of his incompetence is outstanding. In fact, a particular preliminary environmental report to which the honourable member referred has not been referred even to myself, as the Minister for Conservation, for consideration at this stage.

Mr Smith: Which one is that?

Mr HATTON: The report in relation to the Mary River. He is wondering why it has not been released for public comment. He should really ...

Members interjecting.

Mr HATTON: Mr Speaker, it has not even been decided whether we will stay with a PER or go to an EIS and whether it will be referred to the people for consideration. It has not even reached the minister. I have not yet been advised whether it has actually been received by the Conservation Commission formally for consideration, although obviously we are aware that such a document is under preparation and is being considered.

Mr Ede: Are you going to release it publicly?

Mr Manzie: You just wait and see.

Mr Ede: It is being considered, is it?

Members interjecting.

Mr HATTON: Mr Speaker, I am not going to deal with the clownish behaviour of members opposite. If they want to carry on like that, let them do so at their own peril.

I came here today to discuss what I believe is one of the most significant environmental issues confronting the world today. It is true that nobody can predict accurately the consequences, climatically or otherwise, of what is known as the Greenhouse Effect. What is irrefutably factual is that the proportion of greenhouse gases in the atmosphere is increasing, has been increasing since the 18th century and is continuing to increase. What is irrefutably factual is that it is causing a general warming of the globe. What is irrefutably factual is that the level of industrialisation and population growth, and the consequent increase in food, both animal and vegetable, is causing a greater emission of greenhouse gases than ever before and that, with programs of deforestation, for a multitude of reasons, the ability to absorb that carbon dioxide from the atmosphere is reducing. That is what is causing the build up of greenhouse gases in the atmosphere. Without doubt, if we are to act responsibly as a world community, we must seek to re-establish a balance in the carbon cycle. That is the issue with which the Noordwijk conference dealt.

I feel very proud of the fact that I was the only state minister invited to participate as part of the Australian delegation to the conference. It is a compliment to Northern Territorians that I was given that opportunity and it was very disappointing to hear the Deputy Leader of the Opposition making snide references to my attendance as being some sort of ministerial junket. It was the first major international political conference on environmental and atmospheric pollution and its effect is potentially at least as significant as that of the Montreal conference which led to the adoption of the world ozone strategy and recognised the risk of ozone depletion resulting from the use of CFCs and BFCs.

There have already been results from the Noordwijk conference. A follow-up conference was held in Cairo in December and further conferences will be held this year, including the United Nations General Assembly, as the world moves towards adopting a strategy to deal with this very significant environmental issue. If members opposite want to trivialise that, they may do so at their peril. I believe that it is responsible behaviour to inform this House about the significance of what is happening around the world. The honourable members on the crossbenches recognised that and addressed the issues. Unfortunately, the members of the Labor Party sought yet again to trivialise everything in this parliament.

To give some idea of the magnitude of the problem we face to achieve stabilisation of carbon dioxide levels in the atmosphere, we would have to decrease average emissions resulting from fossil fuel burning and deforestation to no more than half a tonne of carbon dioxide equivalent per person per year by the year 2030, when the world's population is expected to be about 8 billion people. At present, global average carbon dioxide emissions are about 4 t per person per year. The reason for urgency in addressing the situation is largely because of the difficulty in reversing these trends. The replacement of coal by oil in the world economy took about 4 decades and a reafforestation program would take a similar length of time to have any major effect on carbon dioxide emissions.

What are the solutions? The world is now struggling with that question. In my statement, I dealt broadly with some of the conflicting issues which must be addressed in the broad geopolitical and developmental environment, quite apart from the pure environmental and ecological arguments. That is the conflict facing the world. It is a conflict which, in my view, will inevitably dominate debate on the world economy, global development and the entire geopolitical environment.

The conference in Noordwijk marked the commencement of the world debate. There is undoubtedly a commonality of concern throughout the world, from the most industrialised to the least industrialised countries. When one hears representatives of nations talking about their populations starving as a consequence of their lands vanishing into the sea, not simply because of rising seas but because of erosion of their coastlines, one cannot escape the absolute seriousness with which this matter is viewed throughout the world.

We are addressing these issues positively and seriously and, despite the members opposite, I will continue to bring before this parliament information on the continuing evolution of policies and objectives, world-wide, nationally and within the Northern Territory, so that the Northern Territory community can be as informed as possible and can become involved in dealing with the problems rationally.

Motion agreed to.

LEAVE OF ABSENCE

Mr SMITH (Opposition Leader): Mr Speaker, I move that leave of absence for today be granted to the member for Arnhem who is engaged on electorate business.

Motion agreed to.

STATEMENT
Prime Minister's 10-Point Plan

Mr FINCH (Transport and Works): Mr Speaker, last December, together with other transport ministers around the country, I was summonsed to Canberra in remarkable circumstances. We were to attend a hastily convened conference, the subject of which was better known to the media than to the invited ministers. We were on a promise, if you like, that the Northern Territory would receive a share of a $110m road safety funding package. This was after the Territory had missed out on a $120m road funding top-up that was handed out to the states earlier in the year.

However, it was a bit like a mirage - too good to be true. Whilst the promise of this money was attractive to any government serious about doing something about the 'black spots' in its road system, it was something of a fatal attraction. Attached to this money was a big stick called the Prime Minister's 10-point road safety package. We were told that, unless the Territory accepted every condition contained in the 10 points of this proposal, we would not receive a cent of the $110m. As it turned out, our share was to be a lousy $5m over 3 years and, with that amount, we were expected to fix up the major problems on Northern Territory roads. We were expected to adopt the 10-point plan with no exceptions and no questions asked. It was all or nothing. As well, the states and territories were expected to contribute $40m over and above their current commitments. When we are talking about road funding, road safety and people's lives, we can do without that type of blackmailing mentality.

It is very hard to obtain a sensible response when dealing with this federal government. In my time as transport minister, I have had to deal with 7 federal counterparts in 3 years. That includes a couple of junior and senior teams and 1 recycled minister. That is 7 times that I have had to try to get the message across that the Territory has problems which are unique to this part of the world. These include the problem of historical neglect of Territory roads, the problem of remote areas, diverse and difficult conditions, and a road network which is 2.5 times the national average per head of population. Unfortunately, we are dealing with a mentality which does not understand or does not want to understand.

Let me give an example of how hard it is to deal with these people. On 16 August 1988, the then federal Minister for Transport, Peter Morris, made this statement in relation to demands by motorist associations for increased road funding as a method of reducing the carnage on our roads: 'The associations' claims that there would be a horrendous increase in road deaths because roads would deteriorate following road funding reductions were simplistic and dishonest'. Mr Speaker, there you have it. The then federal Minister for Transport denied a link between road funding and road safety. Yet, 3 months earlier, on 12 April 1988, this very same minister issued a press release which included these words: '"Better roads had been shown to have substantially reduced Australia's road death toll", the Minister for Transport and Communications Support, Peter Morris, said today'. How is that for muddled thinking? In April, better roads saved lives but, by August, anyone who said that better roads saved lives was dishonest and simplistic.

Mr Speaker, if you think the federal government has got its act together with the Prime Minister's 10-point plan, that is just wishful thinking again. In launching his 10-point plan, the Prime Minister stated: 'For every $0.5m spent on roads, 1 life would be saved. Of course, with every life saved, 10 serious injuries are prevented'. In terms of the economic cost of that 1 death and those 10 serious injuries, that $0.5m spent on roads represents a good investment. The Bureau of Transport Economics indicates that it costs this country $6000m every year for the 3000 people who die on our roads and the 30 000 who are injured. Of course, road fatalities are not simply a matter of statistics and dollars and cents. Road accidents relate to people. I do not think that there would be a member in this Chamber today who has not been associated in some way with some unfortunate event on the roads. For that reason, I think it is criminal that the federal government has money to spend on our roads but is cynically withholding that money in order to score some cheap political points. This is occurring despite the fact that the Prime Minister and the Land Transport Minister, Mr Brown, have advocated the connection between

road funding and road safety. I repeat their words that every $0.5m spent on 'black spots' will save 1 life.

To illustrate just how muddled the federal government remains on this subject, let me quote from the Financial Review of 8 February 1990. The senior Transport Minister, Mr Ralph Willis, who is currently in town said: 'There's a lot of hysteria being created about the supposed relationship between road funding and road fatalities, which is exceedingly tenuous ... and for which there is no evidence'. That shows what confused thinking we are dealing with when we go to Canberra to seek road funds.

Of course, when we went to Canberra in December last year to seek road funds, we came back empty-handed. That was because I had the audacity to suggest that much of Australia had different problems to suburban Melbourne and that we should therefore solve our unique problems in our own way. The answer was no. We have to swallow a 10-point package designed by Canberra bureaucrats to solve problems on a suburban stretch of road between Sydney and Melbourne.

What was in the 10-point package? Firstly, we had to accept a 100 km/h universal speed limit on our highways. Whilst I have no problem with that in relation to the Hume Highway or sections of the Pacific Highway which do not have divided carriageways, I have a definite problem with it in relation to the Stuart Highway. Fatigue is one of the biggest problems on our roads and the last thing we need to do is to keep people on the road between Tennant Creek and Alice Springs in very hot conditions for a few additional hours. In terms of road transport, including bus and coach travel and other road services, more time on the road means greater costs for a community that is almost entirely dependent on road transport. We do not have the luxury of a rail system. We do not have the luxury of a big coastal shipping network. Not only is this suggestion impractical, but it would also be unenforceable in the Northern Territory or any other remote area of Australia.

I have some sympathy for my colleague, Bruce Baird, in New South Wales. He has inherited some big problems and has sought to solve them by reducing heavy vehicle speeds to 90 km/h on the Pacific Highway. He has sought a local solution to a local problem after a series of horrendous crashes in his state. He is now being threatened by the federal government that, if he does not raise his speed limit to 100 km/h for the sake of uniformity, he will miss out on his share of the 'black spot' money. Of course, the overcrowded, dangerous single carriageway is a vastly different situation to the Stuart Highway.

The federal government wants all states now to consider reducing the blood alcohol level from 0.08% to 0.05%. On this account, the federal government is going against the recommendations of its own Road Accident Research Unit, based at Adelaide University, which has repeatedly demonstrated that there is nothing to be gained from such a reduction. Why penalise responsible drivers who know when to stop drinking when we should be out pursuing the irresponsible hoons who do not know when to stop, dills who climb into their cars with readings above 0.15% and who, our statistics prove, are the people causing accidents on our roads? They are the ones to pursue.

Dr Jack Mclean and his team from Adelaide University have been carrying out epidemiological research into this matter since 1981 and their findings are consistent. The median blood-alcohol level in fatal crashes is 0.17%, while the median level in crashes involving injury is 0.14%. This is

supported by recent research in the UK and the USA which indicates that, for experienced drivers or experienced drinkers, there is virtually no increase in accident risk until levels reach 0.10% with a significant increase from 0.15%. These are the people whom we should be targeting and Dr Mclean has done some research into this too. He suggests that, while police are stopping and processing drivers in the 0.05% to 0.08% bracket, they are necessarily missing out on detaining a large percentage of those drivers in the higher bracket. Dr Mclean's research shows that it takes an average of 20 minutes to process a person with a positive reading, thus rendering the RBT unit less effective - that is, there is less chance of being pulled over. The result is a lowering in the deterrent effect of RBT, which has been demonstrated to be a far bigger deterrent to drink drivers than the arbitrary blood alcohol level, whether it be 0.08%, 0.05% or, as the member for MacDonnell would have it, zero.

Despite promises, the federal government has provided no evidence to date to suggest that the states and territories which currently have a 0.08% limit have any reason to change other than the fact that it would result in uniformity. Uniformity for the sake of uniformity is hardly an achievement. This fact is recognised not only by this government but also by the Labor governments of Western Australia and South Australia, the only states which currently have the 0.08 limit.

What is required are practical solutions to particular problems. In the Territory, as elsewhere, we have a problem with alcohol abuse and that is a problem that we are addressing. However, no one can suggest that a person at a level of 0.08% has an alcohol problem as such. The drivers at a level level of 0.2% do have a problem and, unfortunately, they could not care less whether the limit is 0.08%, 0.05% or even zero. We have another problem, and that is that 76% of our fatal accidents involve the non-use of fitted seat belts. This compares with a national average of 40%. We are currently addressing this issue with an examination of the penalties and of vehicle standards.

A third point in the Prime Minister's plan was a zero alcohol level for young drivers for the first 4 years that they are on the road. Already, we have in the Territory a zero blood-alcohol level for all L and P plate drivers as well as for drivers under the age of 18. However, we do not share the Prime Minister's lack of confidence in the responsibility of young people up to the age of 25. What we would be saying to these people is that they can vote, fight for their country, stand for political office, enter into contracts, marry and raise children but that they do not have the same rights as other members of the community in relation to driving. Certainly, we accept that inexperienced drivers, regardless of age, are at greater risk with moderate levels of alcohol and that is why we introduced our current legislation.

However, there is a far more sinister proposal in the Prime Minister's plan relating to a zero alcohol level for all professional drivers. My office has been flooded with calls from drivers and their employers, here and interstate, who have all pointed out how impractical such a suggestion is. Many people in the industry work on a call basis and, as such, they can be called back to work after going home each day. One glass of wine, one can of light beer and they would be automatically unavailable to work or, if they chose to work, they would be risking their licences and insurance. Comparatively speaking, these people are the most experienced drivers on our roads, yet the federal government wants to treat them like children. Scientific evidence puts them in the lowest risk category in regard to alcohol. That is another impractical suggestion which has not been thought

through. Despite common knowledge of the far greater risk from drug use, there was not one word in the Prime Minister's package addressing that problem. I have now suggested that some urgent attention be given to that problem.

Let me deal with other aspects of the Prime Minister's package such as the compulsory fitting of speed limiters to all heavy vehicles from July 1991. This is a fine proposal in relation to all new heavy vehicles and one that is supported by the industry, but a clause pertaining to the retro-fitting of the speed limiters for existing vehicles has problems. In the Northern Territory, most line haul vehicles are road trains which are already speed limited to 85 km/h. Most other vehicles operate in an urban environment doing local deliveries where there are posted speed limits. Retro-fitting would be cost prohibitive for many fleets and certainly it is not as tamper proof as systems fitted to new vehicles. Let me say on this subject that there is also a push from some areas for compulsory tachographs which, along with logbooks, I believe are a waste of time in relation to road safety. Both can be tampered with and distorted and every driver and trucking company in this country knows it. They may have a use as a management tool but, as a road safety measure, they amount to nothing.

Well away from the problems of heavy transport is the matter of bicycle safety and the proposal for compulsory wearing of safety helmets. Currently, the Territory government is involved in a safety education campaign which is having great success at the primary school level and increasing success at secondary school level. We believe our children should be educated first as to the merits of wearing bicycle helmets before any legislation should be considered. Legislation would pose some difficulties regarding enforcement. What are we to do with the offenders? Do we put them in jail, do we fine them, do we give them a smack on the hand or do we confiscate their play lunch? It is ridiculous. We should educate the kids and educate their parents and I think we are on the right track already.

The introduction of daylight running lights for motorcyclists is another matter which I believe has not been given a great deal of thought. Automatically activated headlights may not be such a problem for new machines, but the proposal that they be fitted to all machines made in the past 10 years has problems. The batteries and alternators of these bikes were not designed to provide power for daylight running. Thus, bikes would end up without headlights when they really needed them - at night. A complete electrical overhaul would be required and this would be extremely expensive. Then, there is the suggestion that back lighting at dusk with headlights on actually provides a danger to riders. These are factors which need consideration.

This is the problem with the Prime Minister's 10-point plan: we are expected to accept these proposals, and to hell with the consequences, merely to get our hands on a few lousy dollars for road funding. Solutions for our road problems need to be practical, effective and enforceable. On that count, some of the items in the Prime Minister's plan have merit. Obviously, any campaign to increase the enforcement of seat belt wearing and child restraint wearing has to be commended. Similarly, the Territory government has no problem in supporting a one person, one licence concept for heavier vehicle drivers, although we have always made it clear that the Territory would not be party to any national points demerit scheme. We feel that would divert attention away from our real problem areas of alcohol abuse, the non-wearing of seat belts and other problems.

We will not be blackmailed. Despite Ralph Willis' assertion, road funding is a key element in the saving of lives on our roads. The Prime Minister himself says that is the case, yet he sits on his money in Canberra while, all around this country, people are dying on substandard roads like the Victoria Highway.

Mr Speaker, let me tell you about highway funding in the Northern Territory since 1984 when the federal Labor government's first road funding scheme swung into action. It is a fact that highway funding in the Northern Territory has dropped by 44% in that period - nearly by half - and that is an outrage. Our federal member, Mr Warren Snowdon, really has his finger on the pulse. Last week, he went on commercial radio talking about funding commitments that he has obtained for the 'Victoria River Highway'. He cannot even get the name right, let alone win a fair deal for Territory roads.

When the rest of Australia was handed a share of an inflation-linked 10% increase in road funding, how much of that extra $120m has Warren Snowdon been able to secure for the Territory? Zero. That is how much. And that is about as much as Mr Warren Snowdon is worth to the Territory. Nevertheless, he is quite happy, as are his Labor Party mates in this Chamber, to go along with the Prime Minister's 10-point blackmail package so that the Territory can secure a miserable $5m to attend to 'black spot' problems during the next 3 years. It would cost nearly $1.5m by way of compulsory contributions to receive that money, plus $2.5m to implement. That does not add up.

The Victoria Highway is one giant 'black spot' which will take quite a bit more than $5m over 3 years to fix. I will tell you how much it will take to fix - $20m a year for 5 years. That is how much! But, I will be fair to Warren Snowdon. If Bob Brown calls me tomorrow and says, 'Fred, that $100m for the Victoria Highway is there because Warren Snowdon has been hammering on my door day and night about it', then and only then will I think about ceasing to remind Territorians that Warren Snowdon has cost the Territory millions in road funding.

In the meantime, let me remind Warren Snowdon and his colleagues in this Chamber that decent people do not bow to blackmail and that road funding and road safety are serious concerns which are being dealt with in a responsible manner by this government. The same cannot be said of the Labor side of politics, particularly following today's announcement by the federal minister, Mr Brown, that he is to introduce a $100m only increase to highway funding, most of which will go to the Pacific Highway in New South Wales without any commitment to the Territory road system. As well as that, he had the audacity to smokescreen the real facts behind the black spot funding. He increased it magically overnight from $110m to $120m, but forgot to mention that it was over 3 years and was subject to blackmail. There is only 1 state or territory in Australia that will accept the blackmail and that is Victoria because, coincidentally, it happens to have each and every one of the 10 points already in place and has had for some time. Nobody else in Australia, Labor states included, will accept being held to ransom over much-needed road funding.

Mr Deputy Speaker, I move that the Assembly take note of the statement.

Mr LEO (Nhulunbuy): Mr Deputy Speaker, I guess that this House is to be subjected to the Minister for Transport and Works attempts to have the CLP's candidate elected. I suppose we will have to get used to this while the House is sitting. The display that he gave this morning was not one of his

best and indeed this is not either. I suggest that the honourable minister put his mouth on hold, at least until after the election, and we might get some business done in this House.

Mr Ede: Helen Galton is issuing a press release dissociating herself from the lot of them.

Mr LEO: Well, I cannot say that I blame the poor woman. If I were, Helen Galton, I would be outside slashing my wrist every time the minister opened his mouth.

Mr Speaker, I have some statistical information that I would like to bring to the attention of members. That is all it is: information. I would like to read out some statistical facts for the minister and I accept that they do not address the particular concerns the minister has raised as far as the Northern Territory is concerned. However, these are statistical realities.

The peak year for road deaths in Australia was 1970, with 3798 deaths. In 1960, there were 9.3 deaths on our roads per 10 000 vehicles. In 1988, there were 3 road deaths per 10 000 vehicles in Australia on our roads, a drop of some 68%. In 1960, there were 25.4 deaths on the road per 10 000 of the Australian population. In 1988, there were 17.4 deaths on the road per 10 000 people in Australia. That is a drop of some 31%. In 1960, there were some 3.6 deaths on the roads per 100 million vehicle kilometres in Australia. In 1988, there were 1.9 deaths on the roads per 100 million vehicle kilometres, a drop of some 47% over that period of time. Those are the type of statistics contained in this material. Mr Deputy Speaker, I seek leave of the House to have this incorporated in Hansard.

Leave granted.

Road Details

Australia has about 800 000 km of roads spread over a continent of 7.7 million square kilometres which is populated by only 17 million people.

The break up of roads is:

National Highways - 16 000 km
Arterial Roads - 105 000 km
Local Roads - 680 000 km

Road Responsibilities

The federal government has no constitutional responsibility for roads. The primary responsibility remains with the states.

Successive federal governments have accepted varying levels of responsibility for road construction and maintenance because of the high national importance of an efficient road system.

No federal government ever has or would accept full responsibility for every road in Australia. Nor would the states welcome it.

Level of Total Road Funding (Figures use BTCE Road Construction Index, 1989/90 prices)

Since 1983, the Hawke government has allocated almost $10 billion directly to Australian roads.

This has consisted of
National Highways $3.7 billion
Arterial Roads (National and State) $3.8 billion
Local Roads $2.2 billion

No national government in Australia's history has directly allocated more to Australian roads than the Hawke government.

The 3 levels of government in Australia have together allocated almost $30 000m to the nation's road system since 1983. This is an enormous and creditable effort during a period of great economic restraint.

Over the 7 budgets of the Fraser government and the Hawke government the road funding comparison has been as follows (the figures are in 1989/90 prices)

	7 Fraser Budgets (Average/Year) $M	7 Hawke Budgets (Average/Year) $M
National Roads	541	656
Arterial Roads (National & State)	460	546
Local Roads	285	315
TOTAL	1286	1517

Since 1983-84 the Hawke government has allocated almost $10 billion directly for road programs (1989-90 prices)

Current Federal Road Program

It is known as the Australian Centennial Road Development Program (ACRD).

It identifies 4 categories of road:

National Highways -

essentially link the capital cities (plus Brisbane-Cairns, Darwin-Adelaide, Hobart-Burnie);

since 1974, the federal government has accepted 100% responsibility for both construction and maintenance ($5.2 billion since 1974; $3.7 billion by Hawke government);

this year, the federal government is allocating $521m to the National Highway system, an increase of $36m or 7.3% over 1988-89.

National Arterials -

this was a new category of roads introduced for funding purposes from the beginning of 1989. They are still the primary responsibility of state governments but the federal government assists in financing specific construction projects on them. They are roads of national importance which improve access to ports, airports, railheads and areas of major production and tourism. This year, the federal government is allocating $369m to national arterial projects.

State Arterials -

these are all other roads for which the state governments are responsible. This year, the federal government is allocating $142m to assist the states with their construction and maintenance programs on these roads.

(Note: The total allocated for national and state arterial roads by the federal government this year is $511m, an increase of $52 m or 11.2% over 1988-89)

Local Roads -

these are roads which are the responsibility of local councils. This year, the federal government is allocating $303m to assist councils with these roads. That represents an increase of $31m or 11.2% over 1988-89.

Other Assistance to State Governments and Councils

Since 1983 the Hawke government has also allocated $101.9 billion (constant 1988-89 dollars) to the states in untied grants to use as they wish - including on roads.

Since 1983, the Hawke government has also allocated $4.675 billion (constant 1988-89 dollars) to local councils in untied grants to use as they wish - including on roads.

This year the Hawke government will provide $13.2 billion in general revenue (untied) grants to the states and $687m in untied grants to local councils.

Federal Road Funds since Early 1980s

The claim that federal road funds have declined in real terms since 1983/84 by 28% is correct. However, it should be kept in mind that:

1. over the whole term of the Hawke government, it has achieved a record level of road funding;

2. 1983-84 was the peak year in road funding and it was a year of the Hawke government. This was because, in July 1983 under the Hawke government, there was a major injection of funds when the fuel levy was raised from 1¢ to 2¢ per litre;

3. the national electorate demanded that fiscal responsibility be exercised. During the period since 1983-84, the Hawke government has converted a $9.6 billion potential deficit into a $9.1 billion estimated surplus AND handed back billions to ordinary Australian families through tax cuts ($5000m/year from the start of 1989-90 alone);

4. in the light of budget constraints and expenditure cuts, road funding has done very well.

Under the new ACRD road program, annual road funds are indexed to maintain their real value. This resulted in an increase of $120m for 1989-90 which, compared with the CPI, represents a real increase to $1.342 billion.

Federal road funds will be indexed again for at least the next 2 years.

Local Road Funding

No project approvals are required for the expenditure of federal funds on local roads. Local councils are free to determine their own priorities for the use of those funds.

A block (tied) grant is made to the states for expenditure on local roads. The distribution of those funds to individual councils is made on the basis of a formula agreed to between the appropriate state road authority and the recognised representative local government associations(s) and approved by the federal government. The formula is based on such elements as area, population, road length etc.

Some state governments also provide grants from their own revenue to assist local councils with their road programs.

The state road authorities also retain a proportion of federal local road funds for special projects on local roads.

All of these provisions have created some confusion among councils concerning the level of road funds from the federal government. However, for 1988-89, local road funds were indexed to maintain their real value. The same occurred for 1989-90 and will occur again in 1990-91. THEREFORE, if your local council has received less for roads it is NOT because of any reduction in federal funds.

It must have resulted from:

1. lower grants by the state government, or;

2. the state road authority retaining a larger amount of the federal governments local road grants, or;

3. a change in the formula for sharing the funds.

Road Funding and Fuel Excise

Total fuel excise provides $6.4 billion in revenue to the federal government. Like all tax revenue, these funds help to finance the whole range of government services including education, health, pensions, assistance to veterans and defence.

Fuel excise was never intended simply to finance roads any more than alcohol excise is for treating alcoholism or tobacco excise is for treating lung cancer. The suggestion is absurd.

Despite this, a total of $1.341 billion is being provided directly for roads by the federal government this year. That represents about 5.7¢ per litre of petrol or about 25% of fuel excise paid by the motorist.

The rest of the fuel excise also assists the federal government to provide $13.2 billion to the states in untied grants and $687 m to local councils in untied grants this financial year.

In turn, the state government spends about $1.4 billion on roads and local councils spend about $1.4 billion on roads. That makes a total of about $4.3 billion spent on Australia's roads this year by the 3 levels of government. As a proportion of total fuel excise paid by the motorist that represents about 80%.

Roads and Road Crashes/Fatalities

Australian roads claimed 2801 lives in 1989 compared with 2879 in 1988. The 1989 figure was the third lowest for the decade. About 30 000 people were injured on the roads.

The peak year for deaths on Australia's roads was 1970 with 3798.

In 1960 there were 9.3 deaths on our roads per 10 000 vehicles.
In 1988 there were 3 - a drop of 68% .
In 1960 there were 25.4 deaths per 100 000 of the population.
In 1988 there were 17.4 - a drop of 31%.
In 1960 there were 3.6 deaths per 100 million vehicle kilometres.
In 1988 there were 1.9 - a drop of 47%.

The introduction of compulsory seat belts, random breath testing, greater driver education, improved vehicle safety standards, better roads and more effective enforcement has resulted in the saving of over 20 000 lives since 1970. Had the trend of the 1960s been maintained through to last year, there would have been over 6000 deaths on Australia's roads.

Motorist groups have claimed that 30% of road deaths are caused by the condition of our roads. They know that this claim is false. It is based on a survey which indicated that, in 30% of road deaths, the main contributing factor was environmental elements. In about 30% of those cases, the condition of the roads was a contributing factor. Thus, 9 out of 10 crashes on our roads are primarily due to factors other than road conditions.

> The detailed survey of 747 road deaths in Victoria in 1989 indicated that 368 resulted from driver carelessness, 122 from speed, 93 from alcohol and 57 from a combination of speed and alcohol. The number resulting from the condition of the roads was one (1).

Mr LEO: Mr Deputy Speaker, I have to ask the minister some questions because he certainly did not answer them in any part of his speech. As he said, it is a very serious matter. When the minister addresses this subject again, I want to know whether or not he intends to accept the federal government's offer of some $5m or whatever it is.

Mr Finch interjecting.

Mr LEO: I want to know whether or not the minister intends to accept it.

Mr Finch: No.

Mr LEO: If the minister is not going to accept it, at least we are aware that this government is so flush with money that it can afford to turn down $5m.

Mr Finch: It would cost us more to accept it.

Mr LEO: That is one question answered. The minister has indicated across the Chamber that the government intends to turn down $5m from the federal government.

The other question I want to ask him is that, whilst he may feel that the Prime Minister's proposals are inadequate and are costly to firms and individuals, does he believe that any one of those plans will cause more road deaths, the same number of road deaths or, in fact, fewer road deaths?

Mr Finch: Some will. Some of them less.

Mr LEO: The other question I need to ask in the context of this debate, after listening to the tripe that we have been given, is whether or not the minister believes that a uniform system of road rules, for the want of a better term, would assist all Australians in moving about this continent?

Mr Finch: No.

Mr LEO: The minister does not believe that a uniform system of road rules would assist people in moving around this continent.

Those are 3 fairly startling admissions from the minister. First, he has so much money that he will not accept $5m. Secondly, he does not believe that any of the plans announced by the Prime Minister will help in reducing road deaths ...

Mr Finch: I said that some will. Some will increase them and some will reduce them.

Mr LEO: In toto?

Mr Finch: Some will.

Mr LEO: Mr Speaker, he does not believe that, taken in toto, these 10 proposals will assist in reducing road deaths. The other startling

admission from the honourable minister is that he does not believe that a national system of road rules is to this country's general benefit. I would have to think that, for even the most average minister of the Crown to come out with those 3 utterances within 10 minutes of ...

Mr Finch: Why don't you talk to the Labor ministers as well, even those that have these things?

Mr LEO: In 10 minutes, he has made 3 classic utterances: we do not want $5m; these proposals, taken in toto, will not reduce road deaths; and, he does not believe that a national road safety system will assist this country. I would say that those 3 utterances by the minister would have to stand in time as the most amazing utterances that any minister could offer to any parliament in Australia or elsewhere in the world.

Mr Finch: Tell us quietly why they would.

Mr LEO: That is so puerile. That is so venal and so absolutely ridiculous that I honestly doubted that even this minister, whose gymnastic ability is well known, could do it. The contortions of this minister and his capacity to keep putting his foot in his mouth are incredible. No contortionist in the world could ever achieve what this minister manages hourly in this House. He does it continuously. 'I do not want $5m, I do not want to save lives, and I do not believe in a national road safety system'.

Mr Finch: I did not say that at all.

Mr LEO: That is what he said.

Mr Finch: No, I did not.

Mr LEO: You are a disgrace to your portfolio. You are a disgrace to this House, and you do not serve the residents of the Northern Territory well. Those are 3 answers that I did not believe that any person in this House could give. I do not give a damn about political bias. I do not give a damn about Helen Galton's chances of success in the forthcoming federal election. I am concerned about people on the roads in the Northern Territory. The minister does not care about people on the roads in the Northern Territory.

Mr DEPUTY SPEAKER: Order!

Mr LEO: He is too busy trying to prop up a bloody hack. That is all he is about.

Mr DEPUTY SPEAKER: Order!

Mr LEO: Yes, I withdraw, Mr Deputy Speaker.

That is all he is about. He is not interested in road safety. He is not interested in the people of the Northern Territory. He is interested in propping a hack.

Mr Vale: Neither are you. You are going to Queensland!

Mr LEO: I can assure you that, unlike a previous Chief Minister, I will not be going there until I am out of this House. I will not be accepting

sinecures from your government like every previous member you have ever had. I can guarantee that that is one damn thing that I will not be doing.

With his blatant pursuit of political objectives, this minister has disgraced himself and he has disgraced his portfolio. He has disgraced the government by his blatant pursuit of political objectives. That is what this speech says: 'I do not give a damn about the people of the Northern Territory'. The entire, damn speech says: 'I do not give a damn about the people of the Northern Territory'.

Mr VALE: A point of order, Mr Deputy Speaker! I find the language being used constantly by the honourable member to be rather offensive. Secondly, his speech is starting to beginning to become repetitious. Thirdly, I am worried about his blood pressure.

Mr DEPUTY SPEAKER: There is no point of order, but I do think that the member for Nhulunbuy might be a little less provocative. He could make his point just as well.

Mr LEO: Mr Deputy Speaker, when I enjoy your protection and I am not continually provoked by the gaggle opposite, I will certainly control my language and my tone of voice.

I ask any reasonable person from either side of this House to go through the minister's speech. He attempted to knock down every single point in the Prime Minister's tentative plan. Not a single objection that he made stands up. He defeated his own argument when he talked about the 0.05% blood alcohol limit. He said himself that statistics show that the average person involved in a road accident has a blood alcohol level of 0.17%. I ask, therefore, what difference does it make whether the legal limit is 0.08% or 0.05%? What is the damn difference? There is no difference. Once again, the problem lies in the policing of the limit.

That brings us to the fifth proposal in the Prime Minister's plan, which is to increase enforcement to ensure that 1 in 4 drivers are random breath tested in a year. That is the problem. I do not think that it makes much difference whether it is 0.05% or 0.08% but, in the interests of a national code, I think it should be a uniform figure throughout the country. The important thing is that it must be policed. That is the problem at the moment.

In relation to national licensing for heavy vehicles, I will tell members what happens at the moment. Every truck driver who drives interstate within Australia has a state licence from each state in Australia. If they are arrested for DUI, they simply use another state's licence. That is what happens, and it is so easy to do. Anybody in Australia can do it. You simply pull out another piece of paper. What is wrong with a national licensing scheme for heavy truck and bus drivers? There is nothing wrong with it, and I cannot see why any minister would object to it.

Mr Perron: Do you reckon Tasmania has the same road system as the Northern Territory?

Mr LEO: Mr Deputy Speaker, I am sure that even the Chief Minister, with his limited capacity for comprehension, would understand that no matter what the terrain, no matter what part of Australia is involved, no matter whether it contains open highways or urban streets, it is still quite easy to have a speed limit for the nation. That would not seem to be terribly difficult to

achieve. We have been talking about the Greenhouse Effect and the huge problems which confront humanity yet we cannot even agree to a national uniform speed limit. I would not have thought that that would be such a terribly difficult thing to do.

The question of speed limiters for heavy vehicles is a little ripper. Whilst I accept that there would be a significant cost to transport companies in fitting them to existing vehicles, the minister should not allow himself be deluded that, because the Northern Territory requires road trains to have 85 km/h speed limiters on road trains, that is the fastest speed at which they travel in the Northern Territory. As I have stated previously in this House, I have been chased by the monsters at 140 km/h. This occurs simply because the vehicles come from interstate. They are not all registered in the Northern Territory. That is the simple reality and even the minister should be smart enough to understand that. What is wrong with requiring heavy vehicles throughout Australia to have speed limiters? Nothing. That seems to me like a fairly simple and logical step. As I have already said, the important thing is to police these matters. You can make as many laws as you like but none of them will be worth a pinch unless they are policed.

Another point was the implementation of a graduated licensing system for young drivers.

Mr Finch: Tell us about that one.

Mr LEO: We do it for motorcycles. There are licences for 50 cc motorcycles and the licences are graduated for larger capacity machines. We already have a graduated licensing system. What is wrong with that being introduced as part of a uniform national scheme? Nothing. There is absolutely nothing wrong with it.

I turn to the issue of the compulsory wearing of helmets by children riding bicycles. The minister made an infantile comment about pinching kids' lunches if they are not wearing bicycle helmets.

Mr Finch: What else are you going to do to them?

Mr LEO: I cannot imagine a more puerile or stupid statement ever having been made by a minister in this House. At present, we insist that all bicycle riders have a light on the front and the back of their bicycle if they ride after dark. We do not pinch their lunches if they do not. It is against the law to ride a bike without a light after dark. What is the difference between putting a light on the front of a bike and something on a kid's bonce, for God's sake? Of course, there is no difference. Once again, the minister has demonstrated his complete ineptitude and his blatant use of this House to prop up a political hack.

The next point in the plan concerned the introduction of daylight running lights for motorcyclists. Whilst that might cost individuals some dollars, I doubt that the cost would be very high. Whilst I am prepared to accept that there may be some costs involved for motorcycle owners, the fact is that, ever since governments began to exist in this country, laws have been introduced which cost individuals money. That is nothing new. There is nothing really profound about it. Of course it will involve costs for individuals. In pursuing the goal of a safer community, we regularly impose such costs. There is nothing peculiar or sinister about that, as the minister would have this House believe.

The next point concerns increased enforcement of seat belt and child restraint requirements. The law requires vehicles to have this equipment but, as I have said in this House before, a law is not worth the paper it is printed on unless it is policed properly. The biggest problem is that the laws are simply not policed. Either the minister and the government are incapable of policing the laws or they just do not want to, and I suspect that it is the latter. They simply do not want to. They are too tired and too worn out

I wish that, when the minister addressed those matters, he had given 3 clear answers in his statement. Unfortunately, he did not. However, we now know that the minister has so much money that he intends to turn down $5m. We now know that he does not believe that the 10-point package will save lives and we now know that he does not believe that uniform national road laws will be for the general benefit of this country. That is an indictment of the minister and the government to which he belongs.

Mr SETTER (Jingili): Mr Deputy Speaker, we have seen an example this afternoon from the member for Nhulunbuy of how the Australian Labor Party in the Northern Territory is a clone of Canberra. Regardless of what their colleagues in Canberra try to put over the government of the Northern Territory and state governments throughout Australia, the fellow travellers opposite simply fall into line. They nod their heads and say: 'Yes, sir. No, sir'. They are not prepared ...

Mr Finch: Their interstate colleagues don't.

Mr SETTER: ... to stand up for the Northern Territory.

I am pleased to hear the Minister for Transport and Works say that the state Labor colleagues of the members opposite stand up to the federal Labor ministers in Canberra. Unfortunately, that does not apply to the Labor members of this House. They simply toe the line. The same applies to their colleagues, the federal member for the Northern Territory, Warren Snowdon, and Senator Bob Collins.

When I first heard about the Prime Minister's wonderful 10-point plan a month or 6 weeks ago, I must say that I felt an election coming on. The reality is that, like many other programs which have been announced during the last couple of months, the 10-point plan is politically motivated. There is no doubt about that. It comes in the wake of several horrendous crashes in New South Wales, one involving a collision between 2 buses and another involving a collision between a semi-trailer and a bus. Between 60 and 100 deaths have resulted from these and other accidents. The effect was very negative. The nation shuddered in its shoes when, for the first time, it saw massive numbers of road deaths in single accidents.

At that stage, the Prime Minister thought that he could grab some positive media coverage. Of course, he did that at the expense of the responsible minister, Mr Brown. Mr Hawke thought he would jump on to the front foot and introduce this 10-point package. The reality, however, is that there has been a massive decline in the level of funding for road upgrading. I refer to that decline in terms of a percentage of the fuel excise which has been applied at the bowser by this federal government. I am not talking about funding in dollar terms but about funding as a percentage of the fuel excise.

The reality is that 3000 people die on the roads in this country every year. The minister said that another 30 000 people are injured on the roads

each year. That means that 33 000 people are affected each year by this horrendous situation. A member referred earlier to the Chernobyl disaster and the deaths which occurred as a result of that and - shock, horror - the whole of Europe trembled. I am not sure how many people died directly as a result of the Chernobyl nuclear accident, but I wager that it was not many more than 3000. That resulted from an incident which might occur once in a lifetime. Nevertheless, in this nation, which has a population of only 16.5 million, 3000 people die on the roads every year. That is probably more than the number of Australian service people who were killed in Vietnam and probably more than the number killed in Korea. We are pretty blase about road deaths in this country. We just turn a blind eye and say, 'Oh well, it is 3000'. That is not good enough.

I recall that, in 1983, Mr Hawke made a number of election promises, many of which were broken, particularly those which related to the Northern Territory. One promise was that a federal Labor government would reduce the cost of fuel by 3¢ a litre. Did that occur? No, sir! During that election campaign, a document was issued by the Labor Party. It was headed, 'Labor Now!', and it was authorised by none other than Bob Collins, of 83 Lee Point Road, Casuarina. The good Senator has since moved into town. Page 6 of the document referred to petrol prices. It said: 'As part of Labor's anti-inflation package and in recognition of the burden of extra taxation levied by the government on people afflicted by the wage freeze, Labor will reduce the price of petrol by cancelling the 1 January oil price increase of $3.23 per barrel. This will have the effect of reducing the price of petrol by in the order of 3¢ per litre. It will also reduce the consumer price index by half of one point'. Balderdash, Mr Speaker! Like so many Labor promises, that promise was broken.

The then Labor candidate for the House of Representatives, Mr Reeves, was quoted as saying that Territory petrol costs were too high. Mr Reeves said on 15 February that half of every dollar spent by Territorians on petrol went into federal Treasury coffers.

Mr Ede: What year was that?

Mr SETTER: It would have been 1983. He said that Territorians were paying a disproportionately high amount for petrol and diesel and were getting a pittance in return from the federal government for roadworks. '"Only 17% of fuel tax revenue is channelled back to the Territory for road construction", said Mr Reeves. "The rest is siphoned off for other government projects'. The figure was 17%, Mr Speaker! Do you know what it is today? Excise at the bowser has increased by 300% since 1983. It has gone from 6¢ a litre at that time to 24¢ a litre today. That is fact. And what percentage of that fuel excise is returned as road funding? A very small percentage indeed.

Mr Smith: Well, what percentage is it?

Mr SETTER: A very small one. You tell me what percentage it is. I am quite sure that the minister ...

Members interjecting.

Mr SETTER: ... will tell us exactly what it is when he replies.

I can tell members that, as a result of the decline in funding as a percentage of the road excise, there has been tremendous lack of development in our road infrastructure. The reality is that roads such as the Pacific

Highway, which continues further north to Brisbane, are no better than a 1960-standard road. I feel very sorry for the government of New South Wales, which has to bear the brunt of this problem right now. It is suffering the result of more than a decade of state Labor Party neglect, not only of roads but of other things. We hear stories of sewage spewing out into the sea at Sydney Heads. The Greiner government has been caught holding the baby - the neglect resulting from over a decade of successive Labor governments in New South Wales. That is the problem there.

We have a road, where these horrendous accidents have occurred, that is no better than a 1960-standard road. The difference is that the number of vehicles travelling on that road has increased dramatically. The speeds of those vehicles and their ability to accelerate have increased also. The torque has been developed to the point where these vehicles attempt to overtake, in many cases, where there is insufficient distance or room to do so.

Of course, we have another problem. In the 1960s, much of the freight was carried on the railways. Today, the amount of freight carried on road transport has increased out of all proportion. As well, many more people are travelling by bus. In the 1960s, when these roads were designed, most people travelled by passenger train. Today, they hop on a bus and, 24 hours later or even less, they are in Brisbane or in Melbourne or wherever.

In addition, we must take into account also the design changes in motor vehicles. A few years ago, the vehicles had some bodily strength. They had a chassis and decent body work. These days, they are like tin cans. I know what happens to my vehicle regularly in car parks. Somebody opens the door of a car parked next to it and there is a great dent in the side. That did not happen a couple of decades ago.

If you combine all these factors, you have the reason for the situation that has developed around this country, particularly in the more populated states of Queensland, New South Wales and Victoria and, to a lesser extent, in the other states. If you add the failure to develop our roads to keep pace with vehicle design, vehicle speed and the increased number of vehicles, the end result is bus crashes, as we have seen, that kill 30 people. Who has been responsible for this neglect in the last 6 years? The Hawke Labor government.

There is no doubt that the Territory government is to be congratulated for the enormous development of our roads since 1978. It was a priority of the Country Liberal Party government at self-government in 1978 to develop our lifeline. Our highways are indeed our lifeline. We do not have a railway. We do not have sea transport any longer and therefore our only means of transporting goods is by road. It is very important for us to upgrade our highways. Certainly, the Barkly and the Stuart Highways are not finished yet. We have some way to go. Indeed, we saw the member for the Northern Territory, Warren Snowdon, jump on the band wagon the other day when he announced some measly funding for the Victoria Highway. As the minister rightly pointed out, he could not even get its name right. He called it the Victoria River Highway.

The minister said in his statement that Northern Territory highway funding has been cut by 44% since 1984. That is absolutely appalling. It is another example of the maltreatment of the Northern Territory by the federal Labor government and the contempt with which the Northern Territory is held. Their fellow travellers opposite, the gaggle of clones over there, sit there and cop it sweet. Do they go in to bat for us? Do their federal

colleagues go in to bat for the Northern Territory? No, they sit there and keep mum. They simply say: 'Yes, sir. No, sir'.

The attempt by the Prime Minister to blackmail the states into accepting the 10-point plan is absolutely shocking. His offer of $110m over 3 years is nothing short of a joke. The Territory's measly share of $5m amounts to about $1.7m per annum. We all know that, to reconstruct the Stuart Highway, it cost us about $250 000 per kilometre. That would represent about 6.5 km per annum. We have thousands of kilometres between the Stuart, the Barkly and the Victoria Highways. It would be the end of the next century at this rate before we upgraded those highways. That is not to mention all of the secondary highways that are in sad need of upgrading in the Northern Territory. It is an absolute disgrace. We had the famous - infamous would be a better word - 10-point package offered by the Prime Minister. I understand that the ultimatum was that the states and the Territory have to accept the entire package or lose the money. We would appreciate $5m. Doubtless, we would love to get our hands on it. However, what a price we would have to pay for it!

The honourable minister pointed out, and rightly so, that the nonsense of reducing the blood-alcohol level to 0.05% would not attack the problem at all. The statistics indicate that the people who have a level between 0.05% and 0.08% are not the ones who are creating the problem on the road. They are not the ones who are becoming involved in traffic accidents. The majority of people involved in horrendous accidents have levels way above that. That is the area that we need to attack, rather than victimising the people at the lower limit, the people who might want to have 3 drinks. They might have a level just over 0.05% and be picked up on the way home. They are not the culprits. The culprits are people with much higher levels. The honourable minister gave us some details in that regard.

In relation to national uniform speed limits, the minister rightly pointed out at the conference that there is an enormous difference between the urban roads or even the regional roads in New South Wales - and the Pacific Highway is a horrendous road on which to drive - and Northern Territory roads. If you drive down the Stuart Highway, once you are past Katherine, you would be lucky to see a vehicle on the road every 5 minutes. Further south, it might be even 10 or 15 minutes. We do not have the bumper to bumper situation that exists in the southern states. We are talking about 2 entirely different situations. To introduce a uniform speed limit for these various situations is absolutely ridiculous. I support the minister's arguments and the position that he took at that conference. This uniform package does not suit the Northern Territory. In many respects, it is absolute nonsense and it is high time that the federal minister and indeed the Prime Minister recognised that.

Mr FIRMIN (Ludmilla): Mr Speaker, this is a very interesting debate. Road traffic matters are a bit like motherhood and apple pie. Everybody has an opportunity to put his or her private solutions to an ever-increasing problem as the population and the transport movement in Australia grow. Debaters on the subject nearly always fall into the trap of saying that, if you lower the speeds and reduce the alcohol consumption, you will lower the road trauma rates. Whilst that comment is true to some extent, it does not necessarily follow that what you are setting out to achieve will be achieved. It is a very simplistic view that provides comfort to most people, but it really does not have much to do with the actual facts. The ultimate position of such an argument is that, if there were no vehicles on the road at all, there would be no road trauma at all.

We all know, of course, that that is not the case. Goods and people need to be moved from place to place and people use vehicles for recreation. Certainly, we are all extremely worried about road deaths and, more particularly, road accidents. It is not only sad for the families concerned, it is not only hurtful to the people involved, it is not only difficult for the people who have to attend the accident scenes - the ambulance people, the Red Cross, the hospital staff and so on - but it is extremely expensive. It is expensive to all of us and it is expensive to Australia as a whole.

Quite frankly, the Prime Minister's announcement in his press release this morning, that the $100m he is offering to the states will solve the problem overnight, is puerile. He cannot say that, because he is prepared to throw $100m at the project of saving lives, anything worth while will be achieved automatically. It needs a much better approach than that. Whilst his 10-point package, on the surface, may appear to be the way to go, let us examine the offer carefully and determine what debate has taken place to give rise to it.

In essence, the Prime Minister is using the simplistic argument: if we do it together and adopt uniform policies, we will solve the problem. The problem again is that we are not all the same. The states do not all have the same sorts of problems in relation to accidents. They do not have the same statistical evidence about the way in which accidents occur. They do not have the same road conditions and distances between various centres vary greatly from state to state.

It was interesting for me to listen to this same debate in Western Australia when I was there over the Christmas break. I was very pleased to hear the Territory minister state publicly that he supported the view of the Road Safety Council when it recommended to the government that there be no upper speed limit on Territory roads. It was interesting to hear his counterpart in Western Australia, a Labor minister, state how sorry he was that a very large proportion of his state had an upper limit. He was referring, of course, to the north-west of Western Australia. I believe that he ought to introduce legislation to provide that there be no speed limit in the northern part of Western Australia - from, say, the Gascoyne River to the Northern Territory - and to maintain a limit in the more populous south-western area of the state where the roads are narrower and not designed for high speed traffic. Probably the same thing could apply in the outback areas of Queensland and New South Wales.

I drove home to the Territory from Western Australia. I drove through the south-western part of Western Australia, across to Esperance and up through the mining areas to Menzies in the north. I then drove down to Norseman and across the Nullarbor Plain to the Stuart Highway. Of course, whilst I was travelling in Western Australia, I was supposedly limited to a 110 km/h speed limit. Nevertheless, while I was travelling at that speed, I was being passed by everything, including police cars. They do not really take much notice of the limit in the outback except perhaps when they need to build up enforcement figures.

The same applied in the outback of South Australia. I was passed regularly by vehicles which were travelling at speeds that were far in excess of the speed limit. There was no reason for that speed limit to be enforced on those large, open roads. The roads are designed to take the higher speeds and modern vehicles today are designed to travel at those higher speeds. Quite honestly, can we expect a person who is driving a modern 1989-90 motor vehicle, be it a 4- or 6-cylinder model, to travel from

Darwin to Alice Springs at 100 km/h when his vehicle is designed to travel safely at speeds well in excess of that? It is an absolute mockery of the system. More accidents probably are caused by the inattentiveness of people who are inhibiting their speed because they believe they may be under surveillance than are caused by allowing people to travel on the open roads at speeds with which the vehicles and the roads can cope.

It is interesting to note that, at the meeting of the transport ministers in early December at which this offer was made, there was no consultation at all. It was purely a matter of take it or leave it. They were told to put the blackmail package into place or they would not receive the money. The package was not based on any scientific research. There was no investigation of any kind. As my colleagues indicated earlier, it was an election ploy. However, the big twist in this election ploy is how the offer is to be funded.

When announcing his $100m offer to the states this morning, the Prime Minister wanted to ensure that he would not be making an unfunded promise. He decided to announce how it would be funded. It is interesting to note what owners of vehicles capable of travelling at high speed will contribute to this $100m. The luxury tax will be increased on imported vehicles over a certain value. This relates to the Mercedes and BMWs that are imported. The $100m will be funded by that means, not from sales of the ordinary motor vehicles that are being used on the roads at the moment.

Some of the other proposals are anomalous too. As the minister indicated, some of the proposals certainly should be supported. There are other matters in relation to which I have been interested in watching developments over the years. I do not believe that a national uniform speed limit would be a rational move. I believe that there should be a meeting of transport ministers to set speed limits based on the conditions applying in respect of a particular road. If it is a dual carriageway or a wide, open road with a certain shoulder and a certain amount of traffic on it per year, the speed can be unlimited. In some cases, speed limits which exist on certain roads could be increased.

The setting of the maximum blood alcohol level at 0.05% or 0.08% was debated hotly in the early stages of the introduction of the RBT system. As a result, 4 states adopted a 0.05% level and 3 states and 2 territories adopted 0.08%. The ACT and the Northern Territory, together with South Australia and Western Australia, adopted the 0.08% system. At the time, there was a very good reason for that. The Victorian view, that 0.05% was a reasonable limit, was based on the fact that the majority of the state's population lived in a suburban environment.

Mr Manzie interjecting.

Mr FIRMIN: That is right. They were trying to avoid the RBT.

In the more open spaces of South Australia, Western Australia and the Northern Territory, the problem of policing the system is much more difficult. Apart from that, I believe it is rational to have the 0.08% level rather rather than the more difficult 0.05%. I do not think that any evidence has been provided today to suggest that that view is irrational. No new evidence has been produced. I beg your pardon, new evidence has been produced - not to support a reduction but to retain the 0.08% level on the basis of the economics of maintaining surveillance at that level and the cost benefit analysis of a reduction.

On the surface, the speed limits for heavy vehicles and the tachographs appear to be attractive. However, I have just read an article which indicates that such a system would cost the road transport industry $45m. I do not believe that it is the answer to the problem. In the last 6 to 7 months, we have all been aware of the horrifying crashes which have occurred on the narrow New South Wales roads. These are old roads which were not designed to carry the volume of traffic they carry today. As the member for Jingili indicated, despite a massive increase in revenue for the federal government from excise on fuel, the funding provided for the road systems has not increased proportionately. There has been a 333% increase in government charges on fuel since 1983 yet there has been no increase in funding for roads over that same period.

The road systems in some states are in disarray. The roads are in disrepair, and they are dangerous. In many cases, it is not the speed at which vehicles are travelling that causes the accidents. It is the dangerous roads and the separation limits between passing vehicles. This was demonstrated by the horrifying bus and truck smash in New South Wales. Some drivers have reported that, with the new buses that are swaying along the roads, the separation might be 9 inches and they are passing at speeds in excess of 100 km/h. It is horrifying. I have friends who deliberately sit in the middle of the lower deck on the left hand side when they are travelling by bus in New South Wales. I would not like to be travelling in those buses on those roads.

The money is not being put back into the road system. It is as simple as that. That is the problem with the road trauma at the moment in the states and that is the problem which needs to be addressed in the states. The federal government should not come to the Territory and tell us to reduce our speed limits in the great open spaces on the beautiful roads that we have built and it should not tell us to reduce the blood-alcohol level to 0.05%. The only places where surveillance could be undertaken properly would be in the metropolitan regions of Darwin and Alice Springs. It is difficult enough today to operate RBT stations on the main roads between Darwin and Alice Springs. As we have proved in the past, it does not work. It is a nonsense.

The graduated licensing system for young drivers with a zero alcohol limit for the first 3 years from 18 to 21 is nonsense also. Learner permits are to be for a minimum of 12 months from age 18 and the supervising driver must have had 3 years experience. There is probably some merit in a requirement that a supervising driver should have had 3 years experience before teaching other people to drive, but the rest of that proposal and proposal 7 are totally irrational. There is no justification and no evidence to indicate that they will achieve anything.

Such proposals are merely designed to make the proposer look good. It is a bit like making it compulsory for cyclists to wear helmets. It is motherhood and apple pie. It really sounds nice to put all the little kids in helmets. Do you put helmets on them when they are playing in the backyard? Do you put helmets on them when they swing on the monkey bars at school? Should they wear helmets when they are running around the school oval?

I have some great fears about this. It is supposed to achieve wonders but no research has been done. We know what happened with motorcycles. The flash helmets that motorcycle riders wear these days were designed specifically for racing car drivers. They have full cheek pads, are rounded at the head and have a small eye piece. These were designed so

that, when a driver was thrown around inside a racing car, his neck was not broken and his jaw was not smashed. What happens when you come off a motorcycle when you are wearing one of those helmets? Effectively, it snaps your neck. It is the same mechanism that the hangman uses when he puts on the noose and pulls the lever. That is exactly what happens as a result of the weight of the helmet. Those helmets will have to be withdrawn from the market. Nevertheless, the proposal is to put helmets on the kids without undertaking any research. There has been no consultation or discussion. However, we are told that we will not get our money unless we do it.

It is the same thing with the running lights for motorcycles. How many honourable members have had a problem with motorcycles on Bagot Road? They all have their lights on, which is great, but they have them on high beam. During the day, they do not realise that and the motorists cannot see because the high beam lights are flashing through the windscreen.

Mr SPEAKER: Order! The honourable member's time has expired.

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Speaker, as a regular user, not only of Territory highways but of the highways of surrounding states as well, I would like to add a few points to the debate this evening. It goes without saying that some of the Northern Territory highways are well above par for quality. Certainly the Stuart Highway and the Barkly Highway are above par when compared with highways in surrounding states. Because I drive interstate when I take my kids on holiday, I have the opportunity to experience these other roads in South Australia, Victoria, New South Wales and Queensland. I have done that during the last few years and I know that there are serious problems with highways in this country.

I frequently travel the Victoria Highway. I was rather dismayed to hear the member for Nhulunbuy criticise the statement made by the Minister for Transport and Works who has uncovered some of the clearly extortionist tactics that the Commonwealth is attempting to use in order to lessen the road toll in this country. The fact that no state, apart from Victoria, has taken up the Commonwealth offer indicates that the proposals are simply not acceptable, and will not do the job. As was mentioned by the member for Ludmilla, the Commonwealth is already extorting from road users 400% more in excise then it was in 1983. The Northern Territory's funding is reduced by $44m in real terms now. That is a clear indication of the fraud that the Commonwealth has been perpetrating on the Territory and the states over the last few years.

An offer of $5m as the Territory's share of this funding to pick up the major 'black spot' in our highways, the Victoria Highway, is simply ludicrous. I travel that highway regularly and I see the road trains and the tour coaches passing on it. Somebody mentioned that there is 9 inches between them as they pass. I have seen coaches passing at speeds of 120 km/h at the very minimum, both with 1 set of wheels off the bitumen and only inches to spare. It is crazy and it frightens the living daylights out of me. I keep well away. When I see a coach coming, I get right off the road. The road trains are far safer on that road than the coaches. I think it is only a matter of time before we face the horrors that New South Wales has faced in respect of bus accidents. It will be shocking when it occurs.

As was pointed out by the minister, the $5m required a compulsory contribution of $1.5m by the Northern Territory from its own funds, funds which have already been reduced by $44m. We are having enough trouble maintaining existing roads and building new roads. We have so little in

terms of developed roads in the Northern Territory as compared to the states. Even though our existing roads are in better condition than roads interstate, we have very little in the way of developed roads. Nevertheless, we are expected to find another $1.5m to add to the $5m to upgrade a few kilometres of the Victoria Highway. That is hardly a proposal which one would get excited about. Obviously, the other states did not become excited about it either.

The Prime Minister's comment that every $0.5m spent to pick up the 'black spots' on Australian roads would result in the saving of a life is puerile. The member for Nhulunbuy used the word 'puerile' many times in his comments this evening. However, when we talk about puerile comment, the Prime Minister's comment has to take the cake. If $0.5m would save 1 life, we could buy back every life that we are likely to lose in this country in the next 12 months for $1500m. If that will give us back the lives that we are likely to lose forever, let us do it. The cost of $1500m would be cheap. Of course, it is ridiculous. There are other factors which have to be taken into account to ensure that lives are saved. Whilst the expenditure of $1500m would solve many problems, it would not solve them all.

I do not think that anybody can condone the blackmail that the Commonwealth tends to use on the states and the Territory these days. The Commonwealth is continually saying: 'This is our policy. If you do this, we will give you these funds'. It then steps away saying that it has done its bit. Such blackmail and extortion is just not on. Given that, I fully support the actions of the Minister for Transport and Works in knocking back the offer.

The cheek and the hide of the member for the Northern Territory in the House of Representatives, Warren Snowdon, never ceases to amaze me. It is absurd for him to say that he has won these things for the Northern Territory during the last few years and to claim that he has won that work for the Victoria Highway when we all know of the work which the Minister for Transport and Works and his department have put in. I am sorry that I did not bring the submission to the Commonwealth into the House. It was an excellent document. It depicted the reality of the Victoria Highway. It is the sort of thing which has won the little support which has been achieved for the Victoria Highway over the last few years.

It is puerile of Warren Snowdon to say that he has done these things when, in fact, he did not obtain for us any part of the $120m top up which was offered last year. It is simply wrong. All ministers of the Northern Territory government have received press releases, which we are supposed to endorse, stating that particular projects are joint actions of the Commonwealth and Territory governments. In recent years, we have been sickened by the fact that every one of these press releases refers to the relevant Commonwealth minister, Senator Bob Collins, Warren Snowdon and the Territory minister. I have never ever endorsed one of those press releases. I refuse to do it. In fact, I wrote in response to one of them: 'If you accept the drover's dog as well, I will approve it'. I then went ahead and issued my own press release.

Such tactics are even fooling the press into saying that Warren Snowdon has done a good job. He does not actually do anything. He simply issues one press release after another saying that he has done a good job. That really sickens me and I think it is time that the Northern Territory people woke up to the fact that, whilst it is very easy for a Commonwealth minister to issue a press release endorsing the actions of Warren Snowdon or Bob Collins, that does not mean that they are doing anything. In fact, they

are not. I am really surprised that the press has been hoodwinked by those comments.

I strongly endorse the minister's statement. I strongly endorse his stance on the various components of the 10-point package, accepting that some points are reasonable and that some of them are quite unreasonable, even flying in the face of the findings of many Commonwealth inquiries and the knowledge of the states concerning what is best for them. I support the statement.

Mr COLLINS (Sadadeen): Mr Speaker, I will be brief. I certainly cannot support the proposition of the Prime Minister that we should have uniform road rules throughout the country. It certainly does not stack up with the way I see things. There are, for example, some magnificent highways in New South Wales, with well-separated traffic moving in opposite directions. It makes sense that people should be able to travel at a decent speed on such roads. There are other highways in New South Wales where the speed limit should be much lower because they simply are not safe. I dare say that the same thing applies right across the country. I do not think that the needs of suburban Melbourne should dictate road speeds throughout the country.

Since the pilots' dispute, I have driven from Alice Springs to Darwin a number of times. We are told that we should not drive when tired. However, when one sets oneself a goal, one tends to go for that goal. If the speed limit were 100 km/h, a person who complied with the letter of the law and tried to cover as much distance as possible between Alice Springs and Darwin would be very tired by the end of the day. Tiredness is a real danger. People are likely to nod off, fall asleep or collide with animals. I normally drive at approximately 120 km/h, occasionally reaching 130 km/h or 140 km/h and occasionally going a little more slowly. There is a relationship between how fast you travel and how long you drive and there has to be some optimum position. It is quite likely that travelling slowly over a long period could be more dangerous than travelling more quickly over a shorter period. People are not so thick that they cannot understand that a particular speed limit applies on a particular highway. It is a case of horses for courses. Uniform road rules simply do not stack up logically.

Drugs are also relevant. You will recall, Mr Speaker, that the driver of the road train which hit the bus in New South Wales was found to have a very high level of some of the substances which some drivers use to keep themselves awake. In fact, he was way over any acceptable limit. He is dead and so are many other people, and that is greatly to be regretted. I accept the argument of people in the road transport industry that it is a very cutthroat business. Vehicles cost a poultice of money and drivers often work far longer hours than is reasonable. The temptation to work long hours to make enough money to pay the bills is indeed a problem for these people. I do not have the answer. I wish I did. I am sure that the people concerned think about the matter far more than any of us do. It is a problem and it needs to be looked at.

We tend to focus on alcohol when we talk about drugs and driving. However, a long time ago in this House, I raised my concerns about a drug which seems to be gaining a fair bit of acceptance in the community one way and another as being harmless. I refer, of course, to marijuana. I believe that, if anybody is high on any substance, his or her driving ability will be impaired. We have done very little as a nation to try to detect the use by drivers of drugs other than alcohol. The answers may lie in the education of our children and communicating the idea that driving on our roads is a privilege which carries certain responsibilities. The attitude

of drivers has to play a big part and it needs to be attended to from a very early age.

Occasionally, I need to look at the way I drive and the risks that I sometimes take. I say to myself: 'Just cool it. An accident is not worth it. It is not only your life you are risking but someone else's as well'. When you get behind the wheel, you need to keep your wits about you and think of the other fellow. If we can communicate that attitude to young drivers, there is some hope that we might stop the carnage on our roads which not only directly affects the 3000 people who are killed and the 30 000 who are maimed every year, but indirectly affects the families of those people. It seems a pity that the situation on our roads is in many ways used as a political football. The people of our country deserve much more than that. One gains a fairly strong feeling that the federal government's proposals are politically motivated and that, when the election is over, they might all be shelved and shoved away in a cupboard.

Mr FINCH (Transport and Works): Mr Speaker, I thank those honourable members who contributed constructively to debate on this very important matter. I must indicate at the start that this government will accept any measure which, in any predictable way, will save a single life on our roads. As long as any such measure can be demonstrated, on a technical, scientific or any other reasonable basis, to be practical and enforceable, this government will accept it. I should also add the proviso that it should be cost effective, although that would be a lesser consideration.

I should also make it clear that I am not alone in rejecting outright this abhorrent blackmail by the Prime Minister and the federal Labor government. With a single exception, all other state and territory ministers have rejected it. If the member for Nhulunbuy thinks that I have given the Prime Minister and his Labor colleagues in Canberra a hard time, he should have heard the contribution of Frank Blevins, the South Australian Labor minister who, like the Western Australian, Queensland and Tasmanian Labor ministers refused to have the role of the Australian Transport Advisory Council, the rightful place for these decisions to be made, usurped by the Prime Minister in a rather misguided attempt to win a few votes on the eve of an election. They even said: 'We thought we were on your side, but you are trying to shove this nonsense down our throats'.

The member for Nhulunbuy made a very noisy contribution. I note that he always becomes noisy and then leaves the Chamber. He becomes noisy when he is in a corner and has nothing to offer. I will, however, address myself to each of his contributions because not a single one of them was correct.

First, he asked whether I would accept the approximate amount of $5m over 3 years as a Territory share. I indicated to him across the floor that, like other ministers from around the country, I would not. I am not being pig-headed. As I mentioned, we would have to contribute not only $1.5m in cash. We would have to contribute $2.5m per annum, not only for the 3-year period but forever and a day. In the 3-year period alone, that would be $8.75m out of the limited funds of Territory taxpayers in order to get $5m back. It just does not stand up. We would be almost $4m down the drain and that is $4m which we would not be able to put into road programs ourselves. In the Prime Minister's words, that is 8 lives or 80 serious injuries. As the member for Sadadeen pointed out, the trauma and economic loss extends to the families of those people. At the same time, the $5m which the Prime Minister will not release to us represents 10 lives or 100 serious injuries. That is a considerable amount of hurt and pain for many people. In the hard-hearted terms of the federal government's Bureau

of Transport Economics, that represents a $20m return or a 4:1 cost benefit ratio. On that basis alone, the Prime Minister should release the funds.

The member for Nhulunbuy asked whether some parts of the package save lives, and I answered across the floor that some will and some will not. That is logical. Some of them are in place here already. There are some that we will adopt. There are some that we are prepared to investigate and accept further argument on. We will consider constructively whether we will apply them. However, in this deal, we do not have the comfort of saying that we will accept 6 or 9 out of the 10. Minister Brown and Prime Minister Hawke said that it is all or none, not even 99%. We asked the minister what the reaction would be if we implemented all 10 proposals with the exception of a small detail such as the logbook requirement applying to trucks. The emphatic answer was that we would get nothing. The deal is all or nothing.

In relation to whether any of the proposals in the package will reduce the incidence of deaths on the roads, of course some will! We have to consider seriously which measures would work to our benefit and which ones would not.

The third question that the honourable member asked was whether uniformity would be of benefit? Of course, it would not be the exclusive answer. Uniformity for uniformity's sake is a nonsense. It is more of this centralist, socialist government attitude that seems to be the only thing the ALP can hand on. There are vast differences between Victoria and the Northern Territory. The Minister for Transport from Victoria, who became a little excited from time to time, pleaded with us about the number of car loads of young people wrapped around light poles in suburban Melbourne. It is a real problem for him, and I have great sympathy for him in relation to it. However, when I said that the Territory has the highest rate of pedestrian fatalities in Australia, that indicated some of the differences, particularly when I mentioned that, of the 20% of road fatalities involving pedestrians, a totally unacceptable number were Aboriginal people. Those fatalities related to people who were asleep on a road or highway and that is not a circumstance which occurs in Melbourne. An extraordinary number - I believe that 90% was the figure - of our pedestrian victims had blood alcohol levels that would have been way above the legal limit had they been driving. When I say 'way above', they had levels of 0.30%, 0.34% or even 0.35%.

Mr Tuxworth: They should be dead.

Mr FINCH: Mr Speaker, the member for Barkly says that they should be dead. In the end, they were. When we examined the 30-odd serious accidents and fatalities that occurred in front of the Nightcliff Hotel the other year, not a single one of the injured or deceased persons who was tested had a blood alcohol level below 0.08%. I believe that the lowest reading was about 0.15% and others were up to 0.35%. That is not a situation that is found in downtown Melbourne. For goodness sake, we do not have the same problem. We do not have the same conditions. If you drive for 2 hours in Victoria, you are in the water or out of the state. The Victorian minister took offence when I said that the Hume Highway from Sydney to Melbourne was an extension of suburbia which, of course, it is. It cannot be related to the Northern Territory.

Whilst very high alcohol levels are one of our principal concerns, single vehicle roll-overs come close behind them. Some 78% of our fatalities result from people not wearing seat belts that are fitted in vehicles. That is not counting people thrown from the tray of a vehicle, be

it a utility or whatever. That group forms a very small minority. With 78% of road fatalities resulting from single vehicle roll-overs, twice the national average, it has to be recognised that we have a specific problem. We have different problems.

It was said that, because the Territory has a great deal of heavy traffic, the percentage of fatalities involving trucks must be high. Truck-related fatalities in the Northern Territory are second only to those in the ACT, despite the fact that we include people who are run over whilst asleep on the road. When we analysed our truck-related fatalities, we found that only 21% of our truck-related fatalities - and that is the second-lowest figure in Australia - were caused by trucks. That is an indication that the self-regulatory, commonsense provisions that we have in the Territory and the dialogue we have with the trucking industry and the road transport associations are the healthiest in the country. Members will note that the recent dispute interstate did not extend to the Territory despite some ridiculous attempts to bring it here. I was inundated with calls from trucking organisations around Australia asking for help to secure some common sense from the federal government.

Of the package that the trucking industry proposed - and this was not the same 10-point package as that proposed by the Prime Minister - there was only one marginal area on which we disagreed: the open level on speed limits. If speed limiters are fitted to the transmission of the trucks, so long as that speed limit is at a reasonable level - whether it be 110 km/h or 115 km/h - that would allow the truck or bus to safely pass a road train travelling at 85 km/h, we believe that that is the course to take. The fitting of speed limiters to heavier transport vehicles will maintain an even balance in relation to safety.

The major need in terms of the trucking industry is for the federal government to address the very real commercial problems which it suffers, in particular the exorbitant interest rates. Helen Galton has latched on to that. I note that the member for Nhulunbuy made some disparaging remarks about Helen Galton, the CLP candidate for the Territory. I did not mention her name once in my statement. I probably should have done so because, after 24 March, her role in the Territory in regard to road funding will be extremely important. However, I am well aware, from discussions that she had with the federal shadow minister, John Sharp, in Alice Springs the other week, that her role will be constructive. I believe I heard in a news bulletin that the shadow minister will be announcing his road funding policy tomorrow. I invite honourable members to listen to that announcement. Perhaps we should talk about road funding again tomorrow because they will see a heck of difference between the $100m ...

Mr Hatton: Over 3 years.

Mr FINCH: No, the $100m was per annum.

... for increased highway funding announced today by Minister Brown. That highway funding will go only a very small way towards addressing the problem that Bruce Baird has with the Pacific Highway in New South Wales. We will see a big difference, and I invite honourable members to listen closely to that announcement.

With regard to the fourth point raised by the member for Nhulunbuy in respect of policing, I have been saying that there is no point in having any legislation or regulation unless it can be and is policed. One point that we did agree with in the 10-point package was a requirement to subject 1 in

every 4 persons to roadside breath testing each year. The Territory meets that requirement already. It is unfortunate that we do not have the resources to spread that right across the Territory, out into the middle of nowhere, but I am sure the police are looking at ways and means of doing just that.

We will move to the next point which relates to interstate single licences. Some 18 months ago, we were the first in the Australian Transport Advisory Committee to advocate the policy of 1 person 1 licence. We reciprocate already with participating states, and there are only 2 of them, to ensure that infringements are indicated to other states so that they can mark them up. Even though we do not have a points demerit system ourselves, we are cooperating with states that have such a system in order to ensure that information pertaining to licences is advised, whether it involves infringements or cancellations. That service is reciprocated by participating states.

In regard to uniformity for young drivers, I heard the Prime Minister though I did not believe him, and Minister Brown refer to young people up to the age of 25 years. I feel sure that most of us can recall that, before we were 25 years old, we had a level of responsibility. In fact, in my time, it was by chance only that I was not in Vietnam when I was 18. I was old enough then to serve in defence of the country. At that time, at the age of 18, I was not old enough to vote. I was old enough to drink in New South Wales although perhaps not in other states. However, I was old enough to hold a licence.

This Victorian system for young people does not include simply L plates at 18. There is an argument that says that it is probable that young people develop better driving skills than do older people. I would rather put my trust in a 16-year-old learning to drive a car than in a 60-year-old learning to drive a car. I am sure honourable members would agree with me in that regard. That 18-year-old has to display a L plate for one whole year, regardless of how good he or she may be. A young person from a farm may have been driving a vehicle since the age of 10, but that does not make any difference. There is a ridiculous, empirical 1-year requirement.

Not only do they have to display a P plate for 3 years and maintain a zero blood-alcohol level when driving, but young drivers in Victoria have curfews placed on them. I do not know if honourable members are aware of the Victorian system, but people drive on the roads between certain hours during their first years of driving. The number of passengers is limited, as is the capacity of the engine. It does not matter if the old 1960 V8 is the only vehicle the family has. It does not matter if it can attain only half the speed that a new 6-cylinder can achieve. It is an empirical requirement that some bureaucrat has dreamed up in Canberra.

Let me move to the $6000m per annum that is ripped out of motor vehicle users' pockets as against a reduction of approximately $2000m in real terms since 1984. Since 1984, the federal government has collected approximately $35 000m in real terms. That money could have gone a long way towards improving the nation's roads. We would not be talking about the Pacific Highway. For the benefit of the member for Arafura, we would not be talking about the Kakadu Highway for which we cannot get the ANPWS to contribute a cracker. For the benefit of the member for Stuart, we would not be talking about the Tanami Road which we have to fund substantially on our own. For all Aboriginal communities, the Territory has to find every cent of the funds needed for roads, airstrips and barge landings.

There is much to be said for the Coalition's policy as it will be announced tomorrow for a return to fairness and equity in regard to road funding versus the tax collected. A transport ministers conference was planned for March, by which time we were to have all this you-beaut information that was not given to us at the hastily-prepared meeting in December so that we could deliberate and be sensible about what we could or could not adopt out of the 10-point package. We still do not have a skerrick of information. The simple reason is that the federal government does not have any. This is a pipedream that somebody in Canberra has worked out all on his own.

In respect of the reference to Helen Galton, despite the personal abuse heaped on her, we will hear more about Helen Galton as time goes on because she will be the next Territory member. I know that she will achieve a great deal for the Territory. On the Victoria Highway, I am certain that she has won from the shadow minister a commitment to a reasonable share of funding. We have been plugging away for 5 years. There have been 7 ministers and I had to put 1 in front of a road train to demonstrate how bad the Victoria Highway is. It has 5 times the national average of fatalities yet the opposition can accept that it is a progressive federal ALP policy that allows that. The member for the Territory has the audacity to say he was won the day. He has won nought. He lost $3m for us of our highway funding last year. He lost us $4m of the 10% increase that the rest of Australia received. He has lost us 44% over the last 7 years. He has done nought.

Mr DEPUTY SPEAKER: Order! The honourable minister's time has expired.

Motion agreed to.

SUSPENSION OF STANDING ORDERS

Mr BELL (MacDonnell): Mr Deputy Speaker, I move that so much of standing orders be suspended as would allow me to move a motion forthwith relating to a suspension of the Assembly for a dinner break.

Motion negatived.

LEGAL AID BILL
(Serial 258)

Bill presented and read a first time.

Mr MANZIE (Attorney-General): Mr Speaker, I move that the bill be now read a second time.

The purpose of this bill is to establish a Legal Aid Commission in the Territory to take administrative responsibility for the provision of legal aid. The bill is a result of an agreement between the Territory and the Commonwealth governments under which the Territory will assume full responsibility for general legal aid. As such, it marks another step in the government's continuing advance towards achieving full state-type functions in the immediate future.

I must say that I have been disappointed that the Commonwealth approached this agreement in its usual heavy-handed way, treating the Northern Territory as a Commonwealth colony and failing to accord the Territory the same respect that it affords the states. I mention just a minor example. Everywhere else in Australia, legal aid for war veterans is funded wholly by the Commonwealth out of separate funds, yet the

Commonwealth was insisting that, in the Northern Territory, advice to veterans be funded from within the joint funding arrangement. The Commonwealth was insisting that Tasmania fund war veterans as well, but dropped this unreasonable demand when Tasmania objected. Despite this, the Commonwealth has the nerve still to insist that, alone in Australia, the Territory funds veterans' legal aid. The Commonwealth talks long and loud about legal aid, but it has become apparent in our dealings with it that it has approached this as a purely economic exercise and is absolutely indifferent to the real requirements of the people who need legal aid. We take a different view. We do not ask for much, but we do ask for fair treatment.

Under this agreement, the Territory has assumed funding for 40% of the costs of legal aid, phased in over 8 years, commencing from July last year. This is a major commitment by the government to legal aid and its initiative should be recognised as courageous and far-sighted in times of economic stringency. By way of introduction, I will outline the existing legal aid structure in the Territory.

There is a separate legal aid organisation catering for people of Aboriginal descent. The Aboriginal Legal Aid Service operates from offices in Darwin and Alice Springs. The provisions of this bill do not extend to Aboriginal Legal Aid which will be kept as a separate body regulated by Commonwealth legislation.

The Australian Legal Aid Office was established in the Territory in 1974. It provides legal advice and assistance in matters of Commonwealth and Territory law. Assistance with legal representation is not automatic and is provided subject to a means test. In addition to the means test, the merits of the case are examined to determine eligibility. The basic criterion is whether it is reasonable in all the circumstances to grant aid, regard being had to all relevant matters including the detriment or benefit that may flow to the applicant from the granting of legal aid and the likelihood of a proceeding ending in a manner favourable to the applicant. A minimum contribution of $20 is imposed in all cases unless the applicant can demonstrate a real financial hardship. A contribution in excess of $20 is required if the applicant can afford it and a contribution may also be imposed having regard to the outcome of the proceedings. Policy guidelines have been adopted to ensure that funds available for legal aid are directed to the areas of greatest need.

No formal appeal procedures apply for a refusal to grant legal aid. However, an applicant may apply for review to either the office with which that person has been dealing or the director in the Territory or, if dissatisfied with results, to the First Assistant Secretary, Office of Legal Aid Administration, Attorney-General's Department in Canberra.

It is possible to identify a number of advantages inherent in the ALAO operation. We have taken these matters into careful consideration prior to the establishment of the Territory commission and propose to incorporate them into the new commission. The 5 major strengths are as follows.

Accessibility: the ALAO deals directly with the public. As far as possible, legal services are made available to those people who would not normally approach a private lawyer. The office endeavours to make legal advice immediately available although this has become increasingly difficult in recent years because of financial constraints. There is a minimum of formality.

Development of expertise: the nature of the matters dealt with by the office has led to specialisation in certain areas of law - for example, in federal matters and welfare law. In some areas of the law, the best Territory lawyers are in the ALAO.

Advising: a substantial percentage of the work of the office is involved with advice and minor assistance. This again ensures legal services are delivered to the public effectively and speedily.

Regional decentralisation: an office is maintained in Alice Springs. It is our opinion that the regional, decentralised office has performed very creditably and will continue to do so.

Security of grants of assistance: the ALAO provides assistance for a defined matter and, in the usual course, requires reporting before any extension of a grant of assistance.

There are 2 major weaknesses which may be identified in the present system. The first is that recipients must be poor. The means test operates in such a way that only the disadvantaged in the community are eligible. There is a perception that injustices are caused by the application of the test. For example, the test is set at a level which excludes many pensioners who have income other than the pension itself. The principle of incapacity to afford the cost of the proceedings is contained in the guidelines applicable to the ALAO. The grant of legal aid is constrained by funding limitations. The Territory will tackle this difficult problem. Legal aid is provided in accordance with national guidelines. This must continue to be the case to ensure fair treatment for all Australians. However, the bill includes provision for a contingency legal aid fund, a new fund to be used to reach those middle income earners who just exceed the means test exclusions. I will explain how this fund will work when I detail the bill.

The second major weakness is the low percentage of income which is self-generated. Although there is a substantial variation among the various state Legal Aid Commissions and ALAOs in relation to self-generated income, in 1986-87 the ALAO in the Territory fell at the lower end of the scale with a self-generated income of 2.78%. This may be compared with the Legal Aid Commission of Victoria at 19%, the Legal Aid Commission of Queensland at 19%, and the Legal Aid Commission of the ACT at 17%. This apparently poor performance may be explained in part by the fact that moneys recovered by the ALAO are returned to the federal Consolidated Revenue Fund rather than staying within the system as an increase in its funds. In addition, the ALAO operated on one of the lowest means tests in Australia. This had the effect of grants of legal aid being made available only to the very poor with the obvious consequence of their inability to pay any contribution.

Under the bill, the commission will have the power to retain and invest any funds that it receives. Advice from Treasury is that channelling these funds back to the commission will generate an additional $100 000 per year for legal aid. As honourable members will appreciate, this means that, effectively, the Territory will be contributing $100 000 more to legal aid than it has agreed to under its agreement with the Commonwealth.

I turn to the detail of the bill. The bill is based on similar legal aid legislation throughout Australia. As such, it represents a more or less uniform approach to the structuring and provision of legal aid in a statutory form. Part II provides for the establishment and function of the Legal Aid Commission. By clause 6, the commission is to consist of various

appointed members to represent government, private and community interests. The function of the commission is to provide legal aid in accordance with the act. The commission will have all powers necessary to carry out this function and, in carrying out its function, the commission will be required by clause 9 to ensure certain matters. One of the prime constraints on the commission is provided in clause 9(3). Effectively, this provides that the commission can provide legal aid only to the extent that its funds permit.

Clause 9(1) sets out further duties of the commission. Honourable members will see that, in carrying out its function, the commission is required to cooperate fully with the private legal profession. I am happy to say that the private profession fully supports the government's proposal with respect to legal aid. Quite simply, the delivery of legal aid cannot work without the involvement and the goodwill of the private profession. Lawyers who are willing to provide legal aid services will receive only a fixed percentage of the cost they are entitled to charge.

Part III provides for the establishment and functions of Legal Aid Committees. A Legal Aid Committee will be the actual body that considers every application for legal aid. It will be a small 3-member body and its function is to ensure that applications for legal aid are granted in accordance with the criteria adopted by the commission. This is the means test that I referred to earlier.

Part IV provides for the officers of the commission. The day-to-day operations of the commission will be under the supervision of the Director of Legal Aid. The director will be supported by a staff of lawyers and administrative personnel. Just what staff and personnel are necessary to carry out the functions is to be determined by the commission in consultation with the Public Service Commissioner.

Part V provides for the delivery of legal aid by the commission. The structure will be as follows. The commission will make known its existence and its legal services. A person seeking legal aid will apply to the commission. That application will be referred to a Legal Aid Committee and determined in accordance with guidelines adopted. Provision of legal aid can be varied or terminated in accordance with the act. One key feature is that provided by clause 26. The commission may give legal aid to a person whose interests are contrary to those of the Northern Territory. Instead of providing legal advice and representation itself, under clause 29 the commission can arrange for legal services to be provided by private legal practitioners.

Part VI deals with the review of decisions to refuse to provide legal aid or to provide legal aid subject to conditions which the applicant finds unacceptable. The mechanism for dealing with this is that a review committee consisting of 3 persons will be created pursuant to clause 34.

Part VII provides for the finances of the commission. Clause 39 creates a legal aid fund into which moneys can be paid by the Territory and Commonwealth governments. This fund can be used only to provide legal aid. By clause 40, a contingency legal aid fund is established. As honourable members will be aware, the bulk of the legal aid dollar tends to go to either criminal or family law matters. Limited financial assistance is available to assist people with civil claims. Most people in today's society live between the extremes of those who qualify for legal aid and those who have sufficient resources to finance civil litigation themselves. These people are neither rich nor poor. However, a day in court exposes them to a serious financial risk. Quite often, they simply cannot afford it.

The contingency legal aid fund is a Northern Territory response to this situation and is a step in the right direction in dealing with the crisis confronting the legal aid system. Similar schemes exist in Western Australia and Hong Kong. Such a scheme has also been proposed in the United Kingdom and it is under consideration by law societies in most of the other Australian states.

The scheme is completely dependent on acceptance by the private professional, and it will operate as follows. The application for legal aid will be divided, as always, into the 2 categories of the means of the applicant to pay for litigation and the merits of litigation. Once the commission concludes that there is merit in the applicant's case, but that the applicant does not qualify for legal aid on a means test, that person may be offered the chance of funding the civil litigation by means of the contingency fund. The contingency fund would then agree with a solicitor on the fee that he was to be paid. This fee would be reduced to an agreed degree below the normal cost that the lawyer would be entitled to. This represents the lawyer's contribution to the legal aid scheme. However, the fund would require the litigant, though only if successful, to pay a higher fee to the fund. This excess would then be paid back into the fund for use in further civil proceedings.

Such a scheme has operated in Hong Kong since 1984. Unlike the Western Australian scheme, it is restricted to actions for damages for death or personal injury. The fund was established originally by a loan but, over the last 5 years, a pool of money has been built up by a sufficient number of successful cases so that now the loan has been repaid and the fund is completely self-financing. Because of the contingency element of the scheme, which ensures that the difference between the amount that the lawyer is paid and that which the client is charged is paid to the fund and not to the lawyer himself, there have been no ethical objections to such a scheme.

The remainder of the bill deals with administrative and miscellaneous provisions. I hope honourable members will recognise that this legislation is further evidence of the government's commitment to discharging, as fully as its resources permit, all functions of statehood and public service. I commend the bill to honourable members.

Debate adjourned.

PLUMBERS AND DRAINERS LICENSING (VALIDATION) BILL
(Serial 265)

Bill presented and read a first time.

Mr MANZIE (Attorney-General): Mr Deputy Speaker, I move that so much of standing orders be suspended as would prevent the Plumbers and Drainers Licensing (Validation) Bill (Serial 265) passing through all stages at these sittings.

Motion agreed to.

Mr MANZIE (Attorney-General): Mr Deputy Speaker, I move that the bill be now read a second time.

The purpose of this bill is to validate 2 meetings of the Plumbers and Drainers Licensing Board and the decisions taken by that board late last year. It is unfortunate that such validating legislation is necessary.

However, for the reasons which I will now outline, there is no option but to take such a course of action.

The Plumbers and Drainers Licensing Act is administered by the Department of Lands and Housing. A function of the act is to establish a Plumbers and Drainers Licensing Board and for the minister to appoint, by notice in the NT Government Gazette, 5 persons to be members of the board. Board members are appointed for a period not exceeding 3 years. This period of appointment for the entire board expired on 30 June 1989. Instruments appointing members of the board, the chairman and the deputy chairman were signed by me on 21 August 1989. Those people were advised that this had occurred. Unfortunately, the necessary action to gazette those appointments, as required by sections 7 and 11 of the act, was not taken by the department. This oversight was not discovered until recently. The board was also unaware of this situation and, believing itself to be legally constituted, held 2 meetings late last year on 29 September and 30 November.

The Parliamentary Counsel and the Department of Law have both advised that, as the board was not gazetted at the time of those meetings, all decisions taken at the meetings were invalid. The advice further suggested that members of the board, as private individuals, might be liable to legal action from people who felt aggrieved at decisions taken by the board when it was not properly constituted. In these circumstances, it is obvious that the decisions taken by the board at those 2 meetings must be validated as a matter of urgency, not only to ratify those decisions but also to ensure that people who made them in good faith have the statutory protection which they would normally enjoy. This legislation will achieve those aims.

I should point out also to honourable members that the new board has now been appointed. The required instruments of appointment were gazetted on 14 February 1990 in NT Government Gazette No G6. I commend the bill to honourable members.

Debate adjourned.

LOCAL COURT (CONSEQUENTIAL AMENDMENTS) BILL
(Serial 260)

Bill presented and read a first time.

Mr MANZIE (Attorney-General): Mr Deputy Speaker, I move that the bill be now read a second time.

This bill contains further consequential amendments required as a result of the Local Court Act. As I have indicated earlier, a rules committee chaired by a magistrate has been established to recommend a new set of rules of procedure for the court under the new act. A draft was released for public comment on 6 October 1989 and is still being considered. Now that the shape of the act and rules have been outlined, the need for a number of further amendments has become clear. I will speak only on a few specific matters.

Under section 16 of the Adult Guardianship Act, the Local Court is empowered to appoint an adult guardian to manage the estate of a person under a disability. At present, this power is limited to situations where the estate consists of social security benefits or property worth $2000 or less. All other applications to appoint estate managers must go to the Supreme Court. The figure of $2000 was the old small claims limit. This limit is to be increased by adopting a more flexible test. Rather than just

increasing the figure, the tests will assess whether the guardian is suitable to manage the estate having regard to aspects such as its size and complexity.

The Tenancy Tribunal has been abolished and its jurisdiction conferred on the Local Court, subject to certain procedural safeguards spelt out in clause 4 of the bill. This reflects the fact that the new Local Court Act will provide greater scope for informal procedures to deal with the dispute. In particular, the new act enables a pre-hearing conference to be held between the parties. At this conference, they may be able to settle the dispute in a more conciliatory way. This is in line with attempts to find alternative dispute-settling mechanisms.

Clause 3 abolishes the actions of replevin and distress for rent. Distress for rent is the common law right of a landlord to seize a tenant's goods for unpaid rent. This right has been abolished in respect of domestic and commercial tenancies but it is not certain that the abolition applies to what is known as agricultural tenancy. The amendment makes it clear that all forms of distress for rent have been abolished.

Replevin is a common law action to obtain return of good taken by another person under a legal right. The main use of replevin in modern times arose from 2 sources: firstly, distress for rent and, secondly, from the seizure by a landowner of cattle which had trespassed and damaged the owner's land. As stated, distress for rent has already been abolished for most tenancies. The remedy of seizure of trespassing cattle is also obsolete in view of the Northern Territory Pounds Act, which allows landowners to impound trespassing cattle and claim compensation and which has been abolished in some jurisdictions. Thus the prime uses of the action of replevin have either been abolished or become obsolete. Accordingly, this action is to be abolished. The Local Court Rules will enable a person seeking recovery of goods to apply to the court for a warrant of delivery to obtain possession of those goods.

The schedule makes a number of further amendments. These amendments mostly concern updating and correcting references to the Local Court. The penalties for contempt of court under the Community Welfare Act have been brought into line with the contempt penalties under the Local Court Act, and penalties under the Tenancy Act have been increased in a similar way. Mr Deputy Speaker, I commend the bill to honourable members.

Debate adjourned.

TERRITORY PARKS AND WILDLIFE CONSERVATION AMENDMENT BILL (Serial 268)

Bill presented and read a first time.

Mr HATTON (Conservation): Mr Deputy Speaker, I move that the bill be now read a second time.

The purpose of this bill is to amend section 12 of the Territory Parks and Wildlife Conservation Act to allow for the declaration of a park or reserve on land which is leased by the Conservation Land Corporation. At present, the act provides for the declaration of parks and reserves only on land in respect of which all rights, title and interest are vested in the Territory or where no person other than the Territory or the Conservation Land Corporation holds a right, title or interest. This has meant that the Territory has not been able to declare a national park or reserve on land

which the Conservation Land Corporation may lease. Therefore, it has not been able to apply the provision to the Territory Parks and Wildlife Conservation Act, its by-laws and regulations, for the purposes of management of parks or reserves and in accordance with a management plan on such land. This amendment, by enabling declaration of parks and reserves on areas leased by the Conservation Land Corporation, will allow the Territory to declare and manage parks and reserves on Aboriginal land and other lands where lease agreements have been reached.

Recently, representations have been received from the combined Aboriginal land councils regarding the management of Aboriginal land as national parks by the Conservation Commission and requesting an enabling amendment to allow for this to be embodied in the Territory Parks and Wildlife Conservation Act. The amendment will allow also for similar management arrangements on other leased lands. Precedent for this action appears in the Commonwealth National Parks and Wildlife Conservation Act, which provides for the declaration of areas of Aboriginal land 'held under lease by the director' in section 7(1)(a).

In removing the obstacle to declaration of lands leased for park management purposes, the prospects for conservation management to the mutual benefit of landholders and the Territory are significantly improved. Mr Deputy Speaker, I commend the bill to honourable members.

Debate adjourned.

OZONE PROTECTION BILL
(Serial 264)

Bill presented and read a first time.

Mr HATTON (Conservation): Mr Deputy Speaker, I move that the bill be now read a second time.

The depletion of the ozone protection layer is of major international concern. Over the last 10 years, there has been growing concern about the release of certain chemicals, mainly chlorofluorocarbons or CFCs and bromofluorocarbons or halons, which are depleting the ozone protection layers of the earth, especially over Antarctica.

The Australian and New Zealand Environmental Council, known as ANZEC, advised that these ozone depleting substances eventually reach the stratosphere where they break down gradually, releasing halogens which destroy the earth's protective layer. Satellite data collected since 1979 shows global ozone loss at 2.5% plus or minus 0.6% up to 1987, including solar cycle effects.

An area of severe depletion in ozone concentration of up to 50% in spring each year has occurred over Antarctica. While this is commonly called a 'hole' in the ozone layer, in fact it is an area of severe seasonal depletion. After the hole closes in early summer, there is some dilution of the ozone layer outside the Antarctic region while ozone moves back to fill the hole, with concentrations returning to near normal levels by summer. The decrease in ozone over Antarctica between 1979 and 1988 has generally been increasing, with the hole becoming progressively deeper each year until 1987. A shallower hole was recorded in 1988 and it is believed that this was due to the warmer temperatures in the stratosphere over Antarctica at that time. Seasonal decreases in ozone levels over southern Australia in

the last 8 to 10 years have occurred at a greater rate than the global average.

The ANZEC advised that the ozone layer absorbs harmful ultraviolet radiation and prevents most of it from reaching the earth. It is calculated that, on average, a 1% decrease in ozone concentration will lead to a 2% increase in ultraviolet radiation. Ultraviolet radiation can damage both protein and genetic material in living organisms. It can cause skin cancer, of which Australia has the highest incidence in the world. In addition, eye diseases and suppression of some human and animal immune response mechanisms is predicted to occur as a result of greater ultraviolet radiation. Some decrease in agricultural productivity and marine plant productivity may also result. However, more research is required to establish these links.

I am sure that all members of this House share my concern and the concern of the Northern Territory government at this potential for environmental disaster. Further to this, CFCs and halons are known to contribute significantly to the Greenhouse Effect. The Greenhouse Effect is the name given to global warming expected to be brought about by an increase in certain trace gases in the atmosphere, carbon dioxide being the principal one. However, it is estimated that, unless we take immediate action to reduce, if not eliminate, the discharge of CFCs and halons into the atmosphere, by the year 2030 CFCs and halons will contribute approximately 20% to the Greenhouse Effect. Greenhouse gases allow heat from the sun to reach the earth's surface, but prevent some of the reflecting infra-red or heat radiation gases escaping into space. It is on this basis that scientists are predicting that a global warming will result, as a consequence of which there will be changes in the earth's climate with sea levels expected to rise and major social and economic disruption as a result.

CFCs and halons are widely used in diverse applications throughout industry and the community. Although, in total, Australia's usage of CFCs and halons is only a fraction of global consumption, unfortunately our use on a per capita basis is one of the highest in the world. As a consequence, it would be difficult for us to expect other nations to reduce significantly their use of these ozone depleting substances unless we can demonstrate similarly that we are making genuine attempts to reduce our consumption of these products. CFCs are stable, odourless, non-toxic and colourless. They do not conduct electricity, they are non-flammable and they produce a fine even spray, as a consequence of which they have been used as aerosol products, as refrigerants, as solvents, in foam production, the packaging industry and in fire fighting.

I am advised that it is estimated that, in 1987-88, the Northern Territory used approximately 160 t of CFCs, about 1.2% of the total Australian consumption and approximately 0.02% of the total world consumption. Halons are chemicals used in BCF-type fire extinguishers and I am advised that, during the same period, the Territory used an estimated 14.5 t of halons, calculated as 1.7% of the total Australian use. This very high per capita use is believed to be due primarily to the large building program undertaken after Cyclone Tracy when many halon fire protection systems were installed.

The potential for destruction that we humans as a species are capable of wreaking on our planet is of sufficient international concern that a Convention for the Protection of the Ozone Layer was signed in Vienna in 1985 by 16 countries, including Australia. Under the provisions of the convention, a separate agreement, known as the Montreal Protocol, on substances that deplete the ozone layer, was finalised in September 1987.

Australia signed that protocol in June 1988. The Montreal Protocol has called for a 50% reduction in the consumption and production of certain CFCs by 1988. The protocol calls also for a freeze in halon usage at 1986 levels beginning in 1992. It was framed in the light of the current knowledge available in mid-1987. However, by March 1988, an international group of scientists released a report showing that a 3% decrease in stratospheric ozone had occurred already over heavily-populated portions of North America and Europe. A review of the protocol is to be completed by 1990, and there is a strong possibility that the new requirements may be more stringent and may include more chemicals than did the original version.

As a consequence of the reportedly deteriorating situation, the ANZEC, with full agreement of the Commonwealth and all state and territory governments, has prepared a national strategy to provide for advancing a timetable for the phase-out of ozone-depleting substances in Australia. This strategy requires a consistent approach to be adopted by the Commonwealth, states and territories for its effective implementation. The national strategy was adopted by the then Australian Environment Council at its meeting of ministers held in New Zealand in July 1989. The national strategy aims for a total phase-out of all ozone-depleting substances in Australia by 1998. Legislation has been implemented to control the import and export of CFCs and halons by the Commonwealth government. Legislation to control the manufacture, sale, disposal and emission of ozone-depleting substances has either been implemented or is in the process of being implemented by all states and territories.

The Territory bill for ozone protection provides for the control of the manufacture, sale, disposal and emission of chemical substances which destroy ozone. The Territory bill is modelled on similar legislation introduced in New South Wales. It provides a legislative framework within which regulations can be developed for specific activities, such as controlling or prohibiting manufacture, sale, disposal and emission of chemical substances which destroy ozone. Regulations may also be made prescribing offences and penalties, in addition to prescribing offences to be dealt with as infringement offences which could be actioned by an infringement notice if the person concerned did not wish to have the matter determined by a court.

The regulation-making provisions of the bill would provide also for the licensing or registration of persons and premises engaged in activities authorised to be regulated and, in the event of serious offences, for the suspension or cancellation of such licences or registration. The bill allows also for the making of regulations to require or control the recovery, recycling and destruction of controlled substances and controlled articles, with controlled substances being defined as those substances which have a potential to deplete ozone. These substances are specified in the schedule. These controlled substances may be amended, added to or deleted by regulation in accordance with any new agreements at international or national levels. A controlled article includes plant or equipment which contains, uses or is designed or intended to use ozone-depleting substances.

The regulation-making powers of the bill are extremely broad. They allow for the development of codes of practice and for the incorporation of these in the regulations, together with provisions for ensuring that these codes of practice are complied with.

The bill allows for the formation of an ozone protection consultative committee, with representation drawn from the retail, wholesale, manufacturing, recycling and service sectors of industry, together with

government representatives from the Conservation Commission and the Departments of Education and Industries and Development. It is envisaged that this committee would develop an action plan for the implementation of the ozone protection strategy in the Territory, would be consulted with on the development and formulation of regulations, would assist in the formation of relevant codes of practice, and would advise on the need for appropriate courses and accreditation of such courses for such people as air-conditioner service mechanics and other trades who may have cause to use CFCs and halons. The bill allows also for other persons with an interest in the content of the regulations to be consulted during their formulation.

The involvement of industry in the development of the action plan, in the formulation of regulations, and in the incorporation of codes of practice in the regulations will mean that implementation of requirements for ozone protection will include a significant component of self-regulation by appropriate industry groups. There will be a requirement for inspectorial services, and these will be provided through existing structures within the Department of Health and Community Services and the Work Health Authority, with coordination being provided by the Conservation Commission.

The bill provides for exemptions to be made under the regulations, with or without qualifications. Obvious exemptions would need to include aerosol sprays used for medical purposes, for people such as asthma sufferers for whom there is no alternative. There has been some recent controversy in relation to exemptions that have currently been made by the Commonwealth. However, the Assembly should note that there is a requirement for exemptions to be consistent across the Commonwealth, all states and the territories. In this regard, we have little option but to adopt those exemptions agreed to on a nation-wide basis.

The regulation-making powers of the bill allow for the keeping of records and returns. This will be critical in order to assess the success or otherwise of the implementation of the Territory's actions in controlling ozone-depleting substances. The enforcement provisions of the bill are very strong and quite exhaustive. The Conservation Commission is the authority charged with the enforcement of the legislation, but provisions are made for the minister to authorise officers of other government departments, such as the Department of Health and Community Services and the Work Health Authority, to carry out specific or general functions under the legislation, whilst similar provisions are made for the Conservation Commission to provide direction to such officers and for the commission to delegate its powers to other government officers.

The enforcement provisions under the bill provide confidentiality and protection for commercial or manufacturing information that is required by the commission in order to implement the bill and the regulations. It provides for powers of entry and inspection, for examination, inquiry, testing, seizure, removal and forfeiture. As the offences are regulatory offences, the bill also establishes a defence to prosecution on the grounds of preserving life or property, accidents or lawful actions. It provides for penalties for offences, including obstruction of authorised officers, and allows also for employers, together with corporate bodies and their directors, to be prosecuted in appropriate circumstances.

The passage of this bill through this Assembly will allow for the formation of the Ozone Protection Consultative Committee and will facilitate commencement of drafting of regulations necessary to implement the first steps of the strategy. I am sure that all members of this Assembly will

share my concern for the need for this legislation to control ozone-depleting substances. Mr Deputy Speaker, I commend the bill to the House.

Debate adjourned.

LITTER AMENDMENT BILL
(Serial 255)

Bill presented and read a first time.

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Deputy Speaker, I move that the bill be now read a second time.

This bill is introduced to overcome the problem of illegal dumping of refuse and rubbish on vacant Crown land. At present, the Litter Act does not apply to vacant Crown land which is not used as a public place. There are numerous blocks throughout the Territory, owned by the Northern Territory government, which are destined for future development. Unfortunately, many of these blocks have been used by some members of the general public as unauthorised garbage dumps. Prosecution of these offenders is not possible under the current legislation as the offence of littering is restricted to a public place.

Blocks of vacant Crown land, which are not held under any licence or authority and not used for public traffic or recreation, are outside the definition of a 'public place' in the Litter Act. Honourable members may be aware of the excessive cost to the Northern Territory government to clean up these areas. Recently, the cost for just one block was over $18 000, although the average cost is much less. If the Litter Act had been able to be applied to individual dumpers on vacant Crown land, this problem would have been more controlled. This bill seeks to remedy this anomaly. Now, the legislation will apply to all vacant Crown land with some exceptions, as explained in the amending legislation. Municipalities and owners of freehold land and leases have always been able to obtain coverage under this act if they wished to do so. This bill extends the coverage of the Litter Act to community government areas and the town of Jabiru as well as to vacant Crown land.

In drafting this amendment, the opportunity was taken to review the prescribed penalties as the present mere $200 fine is no longer an adequate deterrent or penalty for serious offences under the Litter Act. This government is environmentally aware and knows that people want deterrent penalties imposed where serious, irresponsible and environmentally-harmful offences are perpetuated. Accordingly, it is proposed that the penalties of $200 and $300 be increased to $2000 and $3000 for littering and for littering involving dangerous materials respectively. These are the maxima which a court may impose. Three other penalties have been increased to a lesser degree, and the fixed penalty for on-the-spot fines has increased from $20 to $50. Mr Deputy Speaker, I commend the bill to honourable members.

Debate adjourned.

CRIME VICTIMS ADVISORY COMMITTEE BILL
(Serial 243)

Continued from 29 November 1989.

Mr BELL (MacDonnell): Mr Deputy Speaker, as I said in respect of the Crimes Advisory Committee proposal that is envisaged in this bill in the context of a debate earlier today, the opposition has some reservations. Having essentially outlined those reservations in that particular context, I will not take up much of the time of the Assembly in reiterating them. The bill itself, apart from its purposes, has some fairly standard provisions for establishing committees, and that aspect of the bill is essentially unexceptionable. However, as I mentioned this morning, we believe that this legislation will duplicate what has been done already in essence by the National Committee on Violence and, therefore, we have some reservations about the proposal.

The functions and powers of the committee as set down in clause 7 are, in fact, good evidence of the sort of duplication of effort to which I referred this morning. In the opposition's view, the government would do well to save the money that this committee will expend on deliberating and duplicating the efforts of the National Committee on Violence and to spend it on the establishment of counselling services for victims of crime and on applying the experience of victim impact statements in the states. I know that the Attorney-General is impressed by some of the innovations introduced by the South Australian Labor government. I believe it was during the last sittings that we saw the introduction of the victims levy, a not entirely uncontentious innovation which had been implemented previously in South Australia. I believe that, if the Attorney-General is so impressed with those innovations, he ought perhaps to hasten the introduction of victim impact statements, counselling services and so on.

I addressed those issues when commenting on the Chief Minister's statement this morning and I do not intend to reiterate my remarks. Whereas the opposition has no fundamental objection to a committee of this sort, we are not really convinced that it is as desirable an initiative as other possibilities in this area of services to victims of crime. I can imagine that the Attorney-General is very keen to pick up his record in this regard. I need scarcely remind honourable members of the appalling performance of the Attorney-General and the government in relation to the crimes compensation issue last year, a performance which caused serious concern to many people.

The Attorney-General suggested in his second-reading speech that there are serious philosophical difficulties with actually doing anything at this stage. I find it difficult to accept that the services to which I have already referred - the counselling services, for example - cannot be instituted forthwith. I appreciate that they will cost money and that the advisory committee is a nice cheap deal which gives the appearance of action. I trust, however, that the Attorney-General will address this matter in his reply.

In conclusion, the opposition finds it difficult to accept that this bill is anything more than a window-dressing exercise and urges the government to respond with the positive measures which I have already suggested.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, I will be brief in my remarks in support of this bill. I support it and I hope that it is successful. I agree with the view of the member for MacDonnell that it has an air of window-dressing. In general, however, I believe that it is a step in the right direction to consider the victims of crime before the perpetrators of crimes. We spend, and have previously spent, far too much time considering the rights of the perpetrators of crimes and our

responsibilities to them. We put them in prisons, we consider their civil rights, we consider their comfort, we feed them and give them exercise, we consider rehabilitation, we consider training ...

Mr Collins: Their families.

Mrs PADGHAM-PURICH: ... and the needs of their families. Meanwhile, the poor victims are left to fend for themselves. Any step in the direction of looking after the victims of crime, especially crimes against persons, is a step in the right direction.

I hope that, in selecting the committee which will deal with or consult the victim, the minister will not appoint only people with an airy-fairy, trendy psychiatric approach. I think it is time that we had more ordinary people on committees such as this, people who are the peers of the victims. Some of the ordinary people in the community may not be highly educated and they may not be able to expound psychiatric theories on particular matters relating to crime. However, I believe that their views deserve as much respect as those put forward by people who have been specially trained in this field because often such people cannot see the wood for the trees and tend to consider the rights of the perpetrator above the rights of the victim. We are not talking only about single victims. Whole families or groups of people may become victims by virtue of their relationship to the primary victim of a crime.

I am at a loss to know exactly how this committee intends to act. Already, we have a scheme which allows victims of crime to be compensated with money. That in itself is good. My only reservation, which is borne out by a case which received considerable publicity in the previous sittings, is that the perpetrator of the crime should be asked to pay first. I believe that the people who deal with the Crimes Compensation Act have to pull up their socks on this matter and force the perpetrators of crimes to pay in hard cash well before the taxpayer and the community is asked to pay. I have no objection to consolidated revenue being used to assist victims of crime, but I believe that the perpetrators must be forced to pay first, either through seizure of assets or work which they must perform to earn money to pay. Somehow they must be made to pay.

Mr Speaker, with those few remarks, I support this legislation. I cannot see exactly how it will work. I do not know whether the Crime Victims Advisory Committee will just sit around mouthing platitudes and putting forward good ideas with little hope of their being implemented or whether it will deal face-to-face with the victim. I am not sure of exactly what will happen. I believe that a better description than victim impact statement needs to be found. I ask the minister to address that. Applying that term in relation to somebody who has suffered the trauma of being assaulted would be counterproductive in terms of the victim's mental and emotional recovery. I repeat that I support the legislation. It is the sort of legislation which one should support.

Mr Bell: That sounds like slavish conformism, Noel. I would not have expected that from you.

Mrs PADGHAM-PURICH: It is not. It is a good idea and I support these proposals. However, I would like the Attorney-General to explain in his reply exactly how this committee is to work.

Mr SETTER (Jingili): Mr Speaker, it does not matter what the government attempts to do, particularly in a situation such as this, the member for MacDonnell will accuse us of window-dressing.

Mr Bell: Window-dressing and paper shuffling. That could be an entry in the mixed metaphors competition this year.

Mr SETTER: I am not sure that he would be one of the greatest advocates of providing compensation to the victims of crime. We live in a society in which, increasingly, the perpetrators of crimes are expected to accept responsibility for the financial compensation of those persons wronged by those crimes - in other words, the victims of crime. That is fine. I have no problem with that at all. If that is what the community wants, that is what the community will demand and get. However, let us not forget that, at the end of the day, it is the community that pays the bill. I agree with the member for Koolpinyah. It is high time that legislation was passed requiring the courts to insist that the perpetrators of crimes pay some compensation, either to the pool set up by the state or to victims.

This bill establishes the Crime Victims Advisory Committee. Whilst I noticed that a couple of honourable members had some queries about how this committee will work, that is fairly clearly laid out in the bill. Clause 7 details the powers and functions of the committee and I am quite sure that, if the honourable members concerned would like to make further inquires and acquaint themselves with the regulations that will no doubt flow from these amendments, they will soon be able to put a finger on the finetuning of this bill.

I have a question about the wording of the bill. It talks about victims of crime and crime compensation, but what exactly is crime? To me, crime can be anything. I assume that, in this instance, we are talking about violent crime against a person or, in other words, some type of physical abuse. However, the bill does not say that. It simply talks of crime. To my mind, crime would encompass also crimes against property such as breaking and entering, car theft and a whole range of things. I suggest that there may be need to clarify that the bill refers to physical crimes against persons.

Through the Attorney-General, the government gave an undertaking to 'improve services to victims of crime' and to 'examine ways of ensuring the criminal justice system takes more account of victims' rights and difficulties'. There is no doubt that this bill fulfils that undertaking. I am sure that honourable members who have doubts and queries in their minds will find that, once the committee is established and functioning in due course, those doubts and queries will be put to rest.

It is a sad fact that major disasters attract much more community attention than do crimes committed against individuals. We read about such crimes in the newspapers or see reports of them on television but, a couple of days later, it is all forgotten. However, the unfortunate victims continue to suffer when the community takes no further notice. One has only to compare the attention their situation receives with the coverage of the Newcastle earthquake disaster, which ran for weeks after the event, to understand what I mean.

From reading the bill, I understand that the committee will consist of 11 persons. Clause 4 deals with the composition of the committee and I will not go through it again. One of the responsibilities of the committee is to prepare victim impact statements. I understand from the minister's

second-reading speech that the purpose of these is to provide the courts with more information in order to enable them better to assess appropriate compensation to be paid to the victim.

The minister referred also to use of this information by the court when considering sentencing for the offender. I have difficulty with that because I believe that a sentence should be based on the gravity of the crime. How the victim copes with the crime is quite irrelevant. The sentence should reflect the gravity of the crime. A strong person may cope more easily as a victim than a less strong person. That is not relevant at all to the sentence which should be imposed on the offender.

The committee will consider the need for counselling and arrange for appropriate support for victims, and I think that is an excellent proposal. Also, the committee will monitor amendments to the Crimes Compensation Act, and that is another very good initiative. Whilst we can pass legislation in relation to these matters, we need to be able to monitor how it is being implemented and its effect on the community and those persons directly affected by it.

This is a good piece of legislation which will fulfil a need in the community. I will be watching with interest to see how it is implemented, how subsequent victims of crime are compensated and how they react to the work of the committee. I support the bill.

Mr COLLINS (Sadadeen): Mr Speaker, last year, I attended a prisoners aid group meeting in Alice Springs and I learned a great deal about its work. Certainly, I agreed with many of its activities but, in discussion with some of the people afterwards, I made the point that we should be doing much more for the victims of crime than we are for the people who commit the crimes. We seem to have neglected the victims who have to live with the consequence of somebody's actions.

I welcome the legislation. I share some of its concerns. We are looking to the future to determine what practical use this committee will be to the community. If it is not useful to the community, it will be an unwarranted burden on the Territory taxpayer. I hope that the efforts of the group will be monitored by the minister and by all members. In a couple of years time, we might have another look at it to determine whether it is of real benefit to victims of crime.

I agree with the member for Koolpinyah that, in every way possible, we should ensure that the perpetrators of crime pay at least some, if not all, of the compensation to the victim. That message should be made very clear in the community. Often, I believe that the media does not convey such a message. If people in the community are aware that, if they commit a crime, not only will they be liable to receive punishment but also they will be required to compensate their victim by forfeiting property or undertaking work, I am sure that will have quite a deterrent effect. This fact must be well advertised to get the message across. With those few words, I support the concept and look forward to learning how well it works for the benefit of the victims of crime.

Mr TUXWORTH (Barkly): Mr Speaker, this bill is the product of the discussions which occurred in the Assembly last year relating to compensation for the victims of crime, some of whom got their just reward and others of whom did not. I would like the Attorney-General to clarify a matter for me. As I understand it, the determination of compensation for victims of crime will still be determined in the way that it has been in the

past and, in fact, this committee may be giving the minister advice on those determinations and other matters. I think that that is perfectly reasonable. I do not have a problem with that. I ask the Attorney-General whether he has any provision to make public any variations from determinations made by the court under the existing system. After all, that was where the original difficulties arose. Determinations were made in favour of the victims and those determinations were varied. I do not mind if they are varied so long as at some stage, someone indicates why they were varied up or down on the basis of information available or the judgment of the people concerned. If this committee is to be involved in variations such as those the Attorney-General was involved in last year, I believe there is a need for the reasons for those variations and the decisions of the committee to be made public.

I also ask the Attorney-General to expand a little on clause 7(e) which says that the functions of the committee include such other functions 'as are imposed on it by the minister or by or under this or any other act'. If the Attorney-General could give an indication of the sorts of things he would envisage the committee looking at and being involved in under that clause of the bill, I would be pleased to hear his comments.

In general, the bill is a step in the right direction. As honourable members have said, it has yet to be seen how it will work. On balance, it is worth a try and I commend the Attorney-General for it.

Mr MANZIE (Attorney-General): Mr Speaker, I will address the concerns of the member for Barkly first because his ignorance is absolutely frightening. I am amazed that he has not read the second-reading speech or looked at the bill. This has nothing whatsoever to do with the payment of compensation to victims of crime. This has no relevance to that matter whatsoever. For the member for Barkly to try to relate it to that is disturbing because it demonstrates either his lack of commitment to what has been put before the House or his total lack of understanding. I would certainly let the member for Barkly know that this has no relevance to assistance to victims of crime. It is very unfortunate that he can read that into the second-reading speech.

Mr Bell: He only contrasted it, Daryl.

Mr MANZIE: I will get around to the member for MacDonnell if he would like to sit down and keep quiet.

Mr Bell: I am seated and have been for the last half hour.

Mr MANZIE: If he wants to keep interrupting, that is fine. He was the one who wanted to adjourn for tea but, obviously, he wants to keep matters going.

Mr Speaker, this legislation creates an advisory committee which will provide advice to government in relation to victims of crime.

Mr Speaker, I find it amazing. The member for Stuart is sitting there laughing. He does not give a damn about victims. That is fine. We know about that because the attitude that he has shown in this House makes it obvious. However, there are other people who have some concerns. Perhaps, out of consideration for other people, he might like to be quiet for a few minutes.

Mr Ede: I am being misrepresented, Mr Speaker.

Mr MANZIE: Mr Speaker, this committee will provide advice regarding the victims of crime. The member for Barkly asserted that this legislation was brought about because of the crime victims legislation last year. I refer him to a speech I made in the House in February 1989 in which I foreshadowed this legislation. I refer him also to my second-reading speech in which I referred to that speech in February last year foreshadowing this legislation and the reasons for it. If he reads those remarks, he might understand a little more about this. However, we are all aware of the total lack of understanding by the member for Barkly of anything. We have all had first-hand experience, unfortunately, of his total lack of any understanding in depth of anything.

This advisory committee will provide advice to government in relation to the problems of victims of crime. Contrary to the assertions of the member for MacDonnell that, somehow or other, I should be ashamed of following some of the practices introduced in South Australia, I have no compunction about saying that what has occurred in South Australia is very good. I think it is something that could have occurred in the rest of Australia though, unfortunately, it has not. I have no qualms about picking up innovations in other areas of Australia and overseas which will help the government provide assistance to victims of crime in any way whatsoever. This is one means that will provide some assistance.

It is a mechanism which will enable people to look at the problems and provide advice. It will allow me to refer problems that may arise regarding crime victims and to obtain some advice on administrative or legislative ways of providing some assistance to them. As the member for Koolpinyah said, the system has forgotten the victims of crime. We worry about the well-being of the offender and all the other things she mentioned, but the system has forgotten victims and it is time that we rectified that. In the Territory, we have quite a good record. Although this legislation will assist, it is not a panacea. We did not need to have a legislative base for the committee. However, the idea is to ensure, first of all, that the matter is treated importantly and to give members the ability to contribute positively in debate regarding the matter. I thank some members for their comments and their input.

I can assure honourable members that, most certainly, the committee will take note of the report of the National Committee on Violence that was tabled in the House this morning. Of course it will, but that is not the be-all and end-all and it is certainly not totally relevant to the Territory in all its aspects or in respect of future happenings. There must be some dynamic institution that can keep abreast of what is happening to ensure that we are not static in our reactions.

The victim impact statement will be a priority of the committee.

Mrs Padgham-Purich: Change that term. It sounds terrible.

Mr MANZIE: It does sound terrible. However, it is a provision that will allow victims to be able to supply information to the courts regarding the effect and the impact which crimes have had upon them. That is something that does not happen at the moment.

Mrs Padgham-Purich: Call it something else.

Mr MANZIE: If any member can come up with another descriptive term, I certainly am not averse to taking that on board.

The other thing that I would like to let honourable members know is that there is nothing to stop the committee having victims come before it and speak about their problems. Certainly, I believe that, in some circumstances, that would be most appropriate. With regard to the membership of the committee, we have made provision to put ordinary people on the committee and we will be ensuring that there is ...

Mrs Padgham-Purich: Only 2.

Mr MANZIE: It is still appropriate, because the sort of people we have involved are the people who provide some of the services or who are in a position to provide services that may be needed.

I would like to indicate to honourable members that, following the passage of this legislation, it is my intention to appoint Professor Ronald Penny to head the new Crime Victims Advisory Committee. For the benefit of honourable members, Professor Penny is the Associate Dean of the School of Humanities and Social Sciences and the Faculty of Arts, and the Associate Professor Psychology at the Northern Territory University. He is an expert in developmental psychology, but he has also specialised in the psychological effects of stress and trauma on human development. He holds a strong conviction, which I share, that victims of crime are the criminal justice system's forgotten responsibility. He had active involvement with victims while he was Acting Dean of Humanities and Social Sciences at Curtin University and he had contact there with the American psychologist, Dr Robert Reiff. He was actually involved in the 6 months work that Dr Reiff, who is the author of the widely acclaimed 'The Invisible Victim', undertook at that university. That book is a result of prolonged studies into post-traumatic experiences of victims of crime.

Professor Penny has contacts with all areas of Australia and has had close contact with the studies done on the victims of the Hoddle Street massacre. I believe that Professor Penny is well qualified to act as chairman, and I am very pleased that he has accepted an offer to become the chairman of the committee. I believe he will play quite an effective role in ensuring that we can provide support services for victims of crime that are relevant and that we can improve those support services.

This is no magic panacea. Indeed, there is no such thing as a magic panacea. Always, we have to be mindful of the problems that victims have. We have to remember them. We have to start moving resources away from looking after the perpetrators of crime and look to providing meaningful assistance to victims. We will never be able to fill the void that is there, but I think that the fact that we are aware that there are problems in that area, and that we have mechanisms through which to try to keep abreast of the services that are either needed or required and to coordinate those services, is something that is positive. As I said earlier, I do not resile from copying any system that has been proved to be effective elsewhere in Australia. Mr Speaker, I commend the bill to honourable members.

Motion agreed to; bill read a second time.

In committee:

Clauses 1 to 3 agreed to.

Clause 4:

Mr MANZIE: Mr Chairman, I move amendment 100.1.

Amendment agreed to.

Mr MANZIE: Mr Chairman, I move amendment 100.2.

This amends an incorrect reference in subclause 4(3) to paragraph (ii) where it occurs separately, and substitutes in its stead a reference to paragraph (iii).

Amendment agreed to.

Clause 4, as amended, agreed to.

Remainder of bill taken as a whole and agreed to.

Bill passed remaining stages without debate.

MISUSE OF DRUGS BILL
(Serial 199)
POISONS AND DANGEROUS DRUGS AMENDMENT BILL
(Serial 200)
CRIMES (FORFEITURE OF PROCEEDS) AMENDMENT BILL
(Serial 202)

Continued from 25 May 1989.

Mr BELL (MacDonnell): Mr Speaker, I and the opposition oppose this legislation. We oppose the legislation because it lies to the children of our community, and we are not prepared to countenance an approach to a serious issue such as drug abuse and substance abuse in this community in this trite form. I believe that, as a whole, this government stands condemned for this type of approach to what is arguably one of the most serious problems confronting our community.

It has been referred to already today and obviously the Attorney-General is aware of the sessional committee that has been established to look into problems associated with alcohol. I would have thought that, if we were addressing the question of misuse of drugs, alcohol would have been at the head of the list. After alcohol, I would have thought that nicotine would be next on the list. Neither of those 2 dangerous substances, which are so frequently misused in all western countries, and nowhere more severely I dare say than in the Northern Territory, rate a mention in this legislation.

Mr Collins interjecting.

Mr BELL: I will pick up the interjection from the member for Sadadeen. I will remind the honourable member of the title of one of these bills. We are talking about the misuse of drugs and, as far as I am concerned, the Misuse of Drugs Bill is a misuse of parliamentary form. The Poisons and Dangerous Drugs Act was well and truly able to deal with the sort of problems that we have. This is mere window-dressing, as was a previous bill that we debated, except that this is dangerous window-dressing in that it is lying to our children. It is lying to our children because we are trying to pretend that the world is different from what it is. It means that we are not telling our kids that alcohol and tobacco are dangerous drugs, but that these other drugs are illegal and that they will be punished severely if they smoke marijuana. They will try it and find that it is not too bad. They will become involved in that subculture and its black market and learn

about the penalties that are being imposed. They will realise that the absurd rhetoric that we have heard from the government on this issue simply does not measure up to the world in which they find themselves. We will be creating more problems for them and we should stand condemned. That is the reason why the opposition is not prepared to share the government's view on this. We are not prepared to stand condemned in the same way as it will be.

This was an attempted political fix. As all honourable members and the Northern Territory community remember, the government tried to attach this to the sensible needle exchange legislation. Mr Speaker, you can almost hear the Cabinet debate on it: 'Look, this needle exchange business is a bit soft and therefore we will jack up the other side by being as tough as blazes on drugs'. It is absurd. It simply does not stand up to a moment's investigation. People who have kids of their own and who are trying to steer them through to some sort of sensible approach to the world around them will not be impressed by this type of simplistic approach to drug abuse. I believe that the government's approach to this matter is something for which it should be condemned.

Of course, mine is not a lone voice in that regard. We note that there have been serious concerns expressed about this legislation by various organisations, and I refer to organisations such as the Darwin and District Drug and Alcohol Dependence Foundation. It has expressed serious concern about this legislation and, among other things, it says: 'Substance abuse is a complex social, cultural and political problem. To address this issue in a positive manner, we must have a united effort by government, police, correctional services and health and community services. It is our desire as drug educators and counsellors to work closely with the legal and judicial system. Law enforcement should be swift, but it must be balanced with an educated assessment of the problems'. The foundation went on to outline areas of concern with respect to this legislation. Its particular concerns relate to the drug types contained in the schedule to the Misuse of Drugs Bill and the amounts of drugs contained, the circumstances and settings in which an offence occurs and the possession of things for the administration of drugs, the prescription of drugs, and the question of volatile substances. I propose to comment on each of those matters.

The lists contained in schedules 1 and 2 are the subject of an agreement between the Commonwealth, the states and the Territory and they are common to all jurisdictions. This national continuity is good. However, I query the criteria used to determine which drugs should be placed in schedule 1. I suggest that many of the drugs in schedule 2 are equally as dangerous as those in schedule 1. I cite as examples morphine, opium, pethidine, fentanyl and amphetamines. I refer also to clause 3, the interpretation clause, which refers to drug analogues - the illicitly-designed drugs. This aspect of the bill is to be commended. However, I wish to query whether it has covered the possibility of a drug being designed from a schedule 2 drug and which has the potential to be more dangerous than those in schedule 1. Fentanyl and its derivatives provide a good example. In 1980 in California, it was determined that 15 deaths in 1 year were a result of a synthetic heroin called china white. Subsequently, china white was found to be derived from fentanyl. Considering the significant difference in penalties for the 2 schedules, I feel that this issue requires more attention.

I turn to the question of amounts of drugs. Quantities have been set rigidly in order to avoid problems encountered in the past due to presumption and deeming provisions. However, this precaution has led to a bill which has no provision for that sector of the community which indulges in illicit drug use for experimental and recreational use. I refer the

honourable minister to his second-reading speech in which he said: 'Some people are ambivalent in their attitude to drugs in relation to so-called possession for personal use. I use the phrase 'so-called' deliberately. The reality is that comparatively few such people exist'. That statement is grossly inaccurate, as current statistics indicate. Firstly, 60 000 Australians indulge in irregular recreational, non-dependent use of heroin. Secondly, 28% of the Australian population over the age of 14 years and 50% of males aged 20 to 39 have used marijuana at some time. These statistics come from 'Drug Abuse in Australia' published in 1988.

Commercial quantities in these bills are generally set at lesser amounts than in other states and have no provision for differentiation between small and large commercial quantities. This indicates that the government will deal swiftly with those seeking profit from commercial trade. Trafficable quantities are a matter of much concern to those who work closely with the community and with people experiencing problems in relation to substance abuse. Phencyclidine, which has in the past demonstrated dangerous acute effects such as acute behavioural toxicity, is well placed in schedule 1 with a small trafficable quantity. The same applies to lysergic acid. As far as cocaine is concerned, the view of the people from Amity House is that they have had insufficient contact to comment. The particular drug which I would like to discuss in relation to trafficable quantities is heroin.

In the case of heroin, the government indicates its good intentions with a view to catching anyone who wishes to profit on a small scale. I refer to the second-reading speech in which the minister said: 'The trafficable quantity has been set at 4 times the therapeutic dose. This is far more than any individual can be expected to use at any one time. There is, at the very least, a capacity to share'. This is a very naive perception of how things really are in the Northern Territory or elsewhere in Australia. The fact is that many people with a heroin dependency can and do purchase between 1 g and 2 g of pure heroin for their own personal use. There is, of course, a capacity to share. This is a mutual arrangement between friends to assist each other in the maintenance of their habit and to prevent the ill-effects of withdrawal. I am not suggesting for a moment that this behaviour should be encouraged. What we are saying is that the heavier penalties are an inappropriate means of dealing with illicit trafficking. They have proven unsuccessful in the past and there is a whole raft of authorities to support that view.

I turn now to marijuana. A number of myths and misconceptions are quoted in respect of marijuana. Much has been documented about this drug. I am not going to take up a great deal of the Assembly's time in elaborating in that regard. It is sufficient to say that it has proven to be more harmful than alcohol in some respects and probably less harmful in others. It is widely used by a large cross-section of our population for recreational purposes. As has been mentioned in the statistics in 'Drug Abuse in Australia', 28% of the Australian population aged 14 years and over and 50% of males aged 20 to 39 have used marijuana. It is disappointing to see that the government has taken such an unimaginative approach to marijuana.

In respect of circumstances and settings in which an offence occurs, the government has indicated good intentions. It has endeavoured to be original in addressing the problems according to specific Territory needs, and the minister gave an indication of that in his second-reading speech. We acknowledge that consideration of the context in which an offence occurs is a positive perspective. However, there are some concerns. Firstly, having identified these areas as those requiring particular attention, the

government has then resorted to the measure which it has criticised in other states - namely, instigation of heavier penalties. Secondly, the government has not thoroughly researched the type of drugs available in schools nor the process by which they are procured. Thirdly, if we succeed in getting drugs out of public places by means of legislation, the transfer of illicit substances will occur more frequently in the home. I wonder whether this is not the very place where we would hope children and young people would not be exposed to such activity.

The fact is that both legal and illicit drugs are the subject of experimentation by young people. The concept of the drug pusher is a myth. Current research confirms that most drug sales take place at medium and low level between friends, that the buyer seeks the seller as much as the reverse and that drugs are not pushed at all. These are the views which are coming through from the authorities. These hard facts, the result of considerable thought by professionals in this area, disagree profoundly with the proposals in this legislation. The point I wish to make is that children will choose to experiment or not to experiment with drugs according to their education and the values instilled in them by parents and teachers. I do not believe, in that regard, that the sort of penalties and the approach implied by this legislation is appropriate.

I turn now to the possession of things for the administration of dangerous drugs. One of the concerns expressed in this regard is that, ironically, the bill's provisions may have an adverse effect on the needle exchange program. I say 'ironically' because, as I mentioned earlier, the needle exchange provisions were originally bracketed with this legislation. The main aim of the needle exchange program is to lessen the spread of AIDS by encouraging the use of clean hypodermic syringes. One of the main avenues of education in this regard is by users educating other users. If this is discouraged by legislation designed to penalise those who supply their friends with a clean hypodermic, we will defeat our own purpose.

I turn now to prescription drugs. It is pleasing to see these drugs included in the bill and it is worth drawing the attention of the government to the high number of deaths in Australia related to prescription drugs. The Commonwealth Department of Community Services and Health statistics indicate that there were 581 such deaths in 1980, 590 in 1981, 519 in 1983 and 483 in 1984. These drugs have been and continue to be a major substance abuse problem. It is interesting to note that, whilst palthium is classified in schedule 2 to the bill, it very closely resembles heroin, is widely abused in Australia via forgery and theft and is sometimes fatal.

Turning now to volatile substances, I note that the Attorney-General said in his second-reading speech that the 'bill contains proposals designed to deal directly and specifically with the problems we face in the Northern Territory'. He went on to say that the particular problems we have in the Territory are that young people make up a far greater proportion of the community than they do anywhere else in Australia and that, also, we have more Aboriginal people than live elsewhere. That, of course, is not the case. There are more Aboriginal people in New South Wales than there are in the Northern Territory. However, I digress.

It may be suggested that, if the minister's comments in his second-reading speech are substantially true, perhaps the particular question of volatile substances should have been addressed in this bill. The decision to impose a penalty only on those who sell or supply a volatile substance is understood. I would like to stress that the use of volatile substances in Aboriginal communities is high, with consequent very serious

health problems and sometimes deaths occurring. I have spoken myself in the Assembly about these problems in the past and I think that, in addition to the problems of the misuse of drugs such as alcohol and tobacco, which are not included in this bill, the problem of petrol sniffing could have received a more constructive mention in the Territory context. Its acute effects include hallucinations, confusion, nausea, headache and dizziness. Chronic sniffers may suffer from lead encephalopathy, cerebella ataxia, seizures and impairment of cognitive functions. The question which needs to be asked is not why penalties have not been introduced for petrol sniffing but, rather, why harsh penalties should be instigated for some illicit drugs which, on a statistical basis, do not cause such dangerous effects as other substances which are equally if not more harmful to our young people. This is exactly the point which I made at the outset; we are not telling the truth to our young people.

Comment needs to be made also about kava in this context. It is not mentioned in the bill. The minister sidestepped the question in his second-reading speech by saying that kava is neither a drug nor a volatile substance. He says that it is a food.

Mr Manzie: That is what it presently is.

Mr BELL: I think that the definition of a 'drug' could be extended to include kava. If the honourable minister has chosen to exclude kava in this context, given the sort of concerns which are being expressed about its use in some communities, I wonder whether such walking by on the other side is appropriate. The minister went on to say that the government had not made any final decisions in this matter and would not do so ...

Mr Manzie: That was 12 months ago.

Mr BELL: ... until there had been full discussion with Aboriginal communities.

The minister suggests that that was 12 months ago. If he has more information to pass to the Assembly in this regard, it would be appreciated.

I concur with the proposal not to include kava as an illegal drug. We ~~are not suggesting that. In the context of the~~ current illegality distinctions, education is the appropriate broad path to be taken but, if we are talking about the misuse of drugs, I do not believe that it is possible to ignore the question of problems with kava in some communities in the Top End.

I turn next to penalty guidelines and the assessment of drug-dependent persons. The legislation has taken into consideration the concept of the drug-dependent person and has clearly defined such a person. However, there may be some problems in relation to establishing who is drug dependent and who is not, and I will look forward to hearing from the minister whose responsibility it will be to make that determination on drug dependence. Regardless of where the responsibility lies, whether it is with individual offenders or the courts, the courts will require assessment and reports. If this legislation is passed and is successful in identifying much small-scale trafficking and possession, many of these people will be drug dependent and others may try to establish drug dependence in order to get a lighter penalty, when in fact they do not have a problem.

There is concern as to how effectively the court will be able to differentiate dependent versus non-dependent people. There is also a

concern regarding the demands that this will place on current drug and alcohol services. There are provisions in the legislation to allow for lighter penalties for such people, and it could be anticipated that these would apply mostly to first offenders. There will still be a large number of people charged on second and third offences who will require drug dependency assessment.

I turn now to the question of the provision of treatment as an alternative option. Just as there is no provision in the legislation for assessment of drug dependence, there is also no provision for treatment of a drug dependent person as an alternative to imposition of harsh penalties. I indicate and pass on to the honourable minister the experience in the ACT with the Drugs of Dependence Ordinance and of South Australia with its 1984 Controlled Substances Act. Both of the above acts have taken consideration of the need for assessment by appropriately skilled people with provision for referral to approved treatment areas where applicable. The view has been expressed that it is of vital importance that the government give due consideration to both assessment and treatment before proceeding with this legislation.

In conclusion, we do not believe that the prohibitionist policy that has been adopted with this legislation is the appropriate way to go. We believe this legislation to be window-dressing, and window-dressing of the most dangerous sort. The legislation is not being honest with our children and with the Northern Territory community about the extent of drug abuse in the Territory and the appropriate government response to those problems.

Mr SETTER (Jingili): Mr Speaker, I was amazed when I heard the member for MacDonnell say that he would not support this series of cognate bills that will go a long way towards inhibiting the drug problem that exists in our community. I must say that we are much better off than are the southern states because, from my understanding, the drug problem in the Territory is nowhere near as bad as that prevailing in some of the larger southern states. As a reason for his not supporting the legislation, the honourable member prattled on about it not including reference to alcohol and tobacco products. I do not know whether he mentioned petrol sniffing, but he might as well have thrown that in too and there are probably 1 or 2 other substances that he could have included. What absolute nonsense! Those issues are addressed in other legislation. These bills are quite specific in respect of the substances that they address, and there are 2 schedules that list all of those various drugs.

The honourable member went on to say that parents will not be impressed by the government's simplistic approach to this issue. Once again, I say to him that that is absolute nonsense. I can assure him that parents in the community are absolutely delighted about anything that government does in order to restrict and inhibit access by their children to drugs, be they soft or hard drugs. How can he possibly say that parents will not be impressed by the government's simplistic approach. That is absolute nonsense.

He went on to say that the government is not being honest and that the legislation is too tough. This is an honest approach ...

Mr Bell: I noted that it is unrealistic, not too tough.

Mr SETTER: ... by government to address the very real concerns of parents in this community, and I think it is a disgrace ...

Mr Bell: Pandering.

Mr SETTER: ... that you and your colleagues have indicated that you will not support these bills.

The member for MacDonnell read out a list of drugs in schedule 2 which he said would be more appropriate for inclusion in schedule 1. The drugs listed in schedule 1 are heroin, cocaine and several others. In other words, they are the hard drugs. Thus, in one breath, he says that we are being too tough and, in the next breath, he says that a number of drugs that are on schedule 2 should be on schedule 1. Of course, if they are on schedule 1, they will attract much harsher penalties. I think the poor guy is a bit confused.

There is no doubt in my mind at all that this legislation has wide community support. The content of this series of bills, if not the bills themselves, has been available in various forms for discussion in the public arena for over 12 months. Honourable members will recall that the content of this legislation was contained originally with what ultimately became the needle exchange legislation. Eventually, the needle exchange legislation was extracted from that package and passed through this Assembly in the middle of last year. However, there has been more opportunity for public discussion of the content of these bills than any other legislation that I can recall.

Let us reflect on the federal Labor government's approach to the matter of drug abuse. It would appear from his comments that the member for MacDonnell does not support his federal colleagues in what they have been attempting to do. Some 2 years ago, the federal government spent well in excess of $1m on its drug offensive. It produced glossy booklets that were distributed far and wide throughout this country at enormous expense. It was a very commendable approach to the concerns of the community about the abuse of hard and soft drugs by young people in our community. It was a commendable effort, but the honourable member did not mention it. I assume that he does not support it.

Recently, Operation Noah was conducted once again by the police. Under this program, members of the public can telephone advice to police with regard to persons who are suspected of using, abusing or trafficking in drugs in the community. I know that, in the past, a number of arrests have been made as a result of Operation Noah. That is another very commendable exercise that is conducted by the police on an annual basis with the support of this government and, I understand, that of the federal government. That operation is conducted nationally.

My point is that there is enormous concern in the community about the abuse of drugs, particularly by young people, and an enormous amount of money has been spent by the federal government and state governments in trying to address that issue and retard the increasing abuse of various drugs by young people. That is the aim of these bills, yet we have heard the member for MacDonnell say that he and his colleagues will not support the legislation because it has no reference to alcohol and tobacco. That is absolute nonsense.

The package of bills before us rationalises those relating to drug abuse in general. For the interest of honourable members, I will mention the legislation involved: the Misuse of Drugs Bill, the Poisons and Dangerous Drugs Amendment Bill, the Criminal Code Amendment Bill and the Crimes (Forfeiture of Proceeds) Amendment Bill. Of course, it is well known that

quite a number of acts relate to drug abuse in various ways. It is necessary to amend them, where needed, to bring them all into line with what the government is attempting to do. The Misuse of Drugs Bill, which is the main bill in this group, deals with criminal drug offences in particular. It relates to drug traffickers who wreak havoc on our young people by marketing these drugs in the community. They do so in a whole range of places. We have been concerned about allegations that drugs are marketed at times through the schools, especially the secondary schools, and through hotels and licensed premises. I have heard allegations that certain bars are noted as places where trafficking occurs. I am quite sure that the Drug Squad is well aware of that and pays very close attention to those places.

This legislation will give the police the weapons with which to fight this menace. The penalties that will be imposed by these amendments will provide a very strong deterrent to those who would peddle drugs in our community. One of the concerns that the government has is that probably a higher percentage of our young people are exposed to drug abuse than perhaps those in the states. The reason is that our population contains a much higher percentage of young people than is the case elsewhere in Australia.

I mentioned earlier that the legislation contains 2 schedules listing various drugs. Schedule 1 refers to hard drugs and there are 5 on the list. I know that the member for MacDonnell wants to increase that by transferring a number of drugs on schedule 2 to schedule 1. Schedule 2 includes about 150 drugs, including drugs such as cannabis, amphetamines and methadone. The bill increases substantially the penalties applicable to drug trafficking and to the possession of drugs. However, there is a grading in the various penalties that apply.

The object is to eradicate or at least to reduce considerably the drug trade in the community. I was very interested to hear the comments of the member for MacDonnell with regard to kava. I must say that I share his view in that regard. I am on record as having been highly critical of the distribution of kava in our community over several years. I was interested to note the comments of the Attorney-General and the comments of the Minister for Health and Community Services who indicated last week that his department was looking very closely at the need perhaps to introduce legislation. I will be saying more about the use and abuse of kava at another time. However, I certainly hope that the minister translates his comments into action.

I was amazed to hear the comments of the member for MacDonnell earlier this evening in relation to kava. Despite the fact that kava has caused havoc in Aboriginal communities in northern Arnhem Land, apart from comments on one occasion by the member for Arnhem, I do not recall hearing any comments from members of the opposition in relation to it. I would have thought that, over the last couple of years, we would have heard time and time again from members of the opposition expressing their concern about kava abuse in Aboriginal communities. I stand corrected if the member for MacDonnell can draw my attention to comments, other than those of the member for Arnhem, about the abuse of kava. The opposition has been quite negligent on this issue. All of a sudden, with this bill before us this evening, the member for MacDonnell has taken an interest in the abuse of kava. I am very pleased that he has finally done that. Mr Speaker, I support the minister's comments and the bills.

Mr SMITH (Opposition Leader): Mr Speaker, the one comment made by the member for Jingili that stuck with me relates to Operation Noah, an Australia-wide police initiative that we all support. I am sure that the

Operation Noah people will not like this legislation. What it will mean, if it is taken seriously, is that they will be inundated by people giving the police information on their neighbours who have 1 marijuana plant growing in their window box. If we take this legislation seriously, we will have our jails overflowing with people who have been convicted of growing marijuana for their own use. They can be sent to jail for up to 2 years. That is the ridiculous nature of the position adopted by this legislation and that is the reason we oppose it. As the member for MacDonnell said very precisely, the government is lying to our kids. It is trying to tell our kids that, despite the fact that over 30% of people in the community smoke marijuana and despite the fact that well over half the people throughout Australia do not really have a problem with the personal use of marijuana, it is a serious crime. It is telling them that, if they grow it themselves and smoke it themselves, they will go to jail for 2 years.

A member: Do you think we should legalise it?

Mr SMITH: That is telling our kids a lie about drugs in this community.

To answer the interjection, I do not think we should legalise it because I do not think our community is at that stage. Certainly, we are at the stage where appropriate penalties should be put in place, not sending people to jail or fining them $5000 for having 1 marijuana plant on the windowsill. That is ridiculous and it makes the law a joke.

We are opposing this legislation because it does not reflect the concerns of people in the community. The people want the government to get stuck into drug traffickers and we support that.

A member: What about the users? If there were no users, there would be no traffickers.

Mr SMITH: Let me take that up. The honourable member said that if there were no users, there would be no traffickers. Throughout the Australian community, the occurrence of people growing and using their own marijuana is widespread. They do not go to the local pub to buy it. If you are going to make the penalties for growing and using your own marijuana so extreme, in the view of many prominent people - such as Senator Peter Baume to name one - you will force people into the hands of traffickers. You will obtain the reverse effect to that you are trying to achieve. You will make it dangerous for them to grow it at home, because it is visible, and you will encourage them to use traffickers. That could be an unexpected consequence of this legislation.

This effort by the Northern Territory government is a continuation of its heavy-handed but window-dressing approach to this very important question. No one expects that, in reality, people will be busted for one marijuana plant on a windowsill. No one expects that and that makes the law a joke. This heavy-handed but window-dressing approach does not concentrate on the real issues and concerns. People in the community are very concerned about the use of hard drugs and trafficking in those drugs. It would have been better to concentrate on those issues and to indicate to our kids that there is a definite scale in terms of the way that the community assesses the impact of drugs and to pitch our penalties according to a scale rather than this across-the-board approach that we have at present.

Laws prohibiting particular behaviour should reflect community attitudes. When those laws do not reflect community attitudes, when they

are so out of kilter as parts of this proposed legislation are, the law will be brought into disrepute. The police will be asked to take on an extremely unpopular target and the end result will be that the law will be ignored. That will have the reverse effect to what people are trying to achieve with this legislation. We will not have law-abiding citizens obeying what they consider to be a reasonable law but, in respect of the personal use of marijuana, citizens flagrantly disobeying the law. That will be the impact of this legislation and that is why we will oppose it. The emphasis is wrong. This legislation does not reflect the real problems relating to drug use in the Northern Territory and, more broadly, in Australia.

There are good aspects to the legislation. For example, we support the aggravating circumstance provision which says that offences committed on or in licensed premises, schools, playgrounds, youth centres etc should attract additional penalties. However, I make the point again that very little drug pushing occurs in schools in the Northern Territory or, as I understand it, in other places. The evidence indicates that it is not outsiders who are pushing drugs in schools. It is school kids handing drugs on to each other and that is something that needs to be taken into consideration as well.

We also support the flexibility which will enable the rapid inclusion of designer drugs in the appropriate schedule as they come on the market. That is sensible, and the government is to be congratulated for it. Also, we support the tougher penalties for traffickers in drugs. They are the real scourge. Particularly elsewhere, but perhaps increasingly in the Northern Territory, they are making life unpleasant for many people and, in many cases, are leading people into a life of addiction. We want to get them as much as members opposite do, and let there be no mistake about that. However, the experience in the Australian states and in other parts of the world is quite clear: prohibition and increased penalties do not work when they are out of kilter with existing community attitudes.

When it took the government almost 12 months to bring on this legislation, 12 months after it had discharged its original legislation, I began to think that it was starting to heed the message that was being transmitted by increasingly prominent people such as Senator Peter Baume and Dr Steven Mugford of the ANU who is on the parliamentary Joint Committee of the NCA Inquiry into Drugs Crime in Society. People like that are saying that this indiscriminate, hardline approach to the problem of drugs in Australia is no longer appropriate and that we need to be extremely careful about the messages that we are trying to send our kids. We need to tell them, without any doubt or hesitation, that hard drugs are off the agenda and that anyone who deals in them will be dealt with severely. We need to tell them dealing commercially in drugs such as marijuana is off the agenda as well. I think that is appropriate. However, to go to the ridiculous situation, as the government has with this legislation, and make it possible for someone to be thrown into jail for 2 years or fined $5000 for the crime of having a marijuana plant on his windowsill is to make an ass of the law.

Mr Manzie: $2000 actually.

Mr SMITH: If it were taken seriously, I could say without fear of contradiction that 50% of the government staff in the TIO building would probably end up in jail because that is how widespread the use of marijuana is in this community. If each of us were to be honest, we could all say that we know people in this community who smoke marijuana, and I defy any member to stand up in this Chamber and deny that. I want honourable members then to ask themselves a follow-up question. If that person is growing his or her own marijuana plant in a pot on the windowsill or in the backyard or

wherever, should he or she be arrested, taken before a court and thrown into jail for up to 2 years? That demonstrates the ridiculousness of this proposal. It will be seen to be ridiculous that the government can sit here and argue an extreme position like that because, as I said before, it tells the people of the Northern Territory a lie. It asks them to accept a set of penalties which are far higher than penalties elsewhere in Australia and far higher than people believe should apply to such an offence. That is the problem that the government has and that is why this legislation will not work. Significant elements of it will be ignored by the community in general, by the police and by the legislators. The problem is that it makes the law an ass.

It is easy to criticise and I want to propose an alternative approach. I hope that, at some future time, the government will consider an alternative approach, not that this government will be there all that much longer to be able to do it. However, before I talk about that alternative approach, as a gesture of our concern, I want to say that this is a sufficiently important problem and there is sufficient doubt about the effectiveness of this proposed legislation in coming to grips with the problem that there needs to be some type of committee established to monitor the legislation.

Mr Collins: Who was anti-committee a little while ago?

Mr SMITH: At one time, I had intended to propose that it should be a parliamentary committee. In fact, my briefing note says that, but I no longer think that is appropriate. That is probably too high-powered. However, I hope the Attorney-General will put in place a monitoring committee, as he did with the new police powers, to assess the effectiveness of this package of legislation and to determine whether it is meeting the the government's objectives because there is a serious doubt in the community about whether those objectives will be attained.

Let me suggest an alternative approach: that we design penalties to fit the nature of the offence and penalties that are consistent with current social values and legal practice in other places. For example, in terms of existing social values, growing one's own marijuana is regarded as a minor offence and the penalties should reflect that and people should not be jailed for it. On the other hand, there is growing abhorrence of the activities of drug traffickers and that must be reflected in the legislation as well. By doing that, the legislation will reflect what the community is saying and a very clear and strong message will be delivered to the kids. Of course, much of this is aimed at those kids. That would deliver a very strong message to them that we take the issue of drugs seriously and we take it responsibly, instead of this largely window-dressing exercise that we have in front of us. We would not have 2 years jail and a $5000 fine for the personal use of marijuana, but perhaps smaller fines and community service orders. That is a judgment that is more in line with the attitude and the thoughts of most people on that question.

We need also to focus on drug prevention, and we need to include alcohol and tobacco in that. The member for MacDonnell is right in saying that alcohol and tobacco kill far more people than other drugs do, even when you include hard drugs such as heroin and cocaine. Lung cancer, caused directly by tobacco, is the largest killer of adult people in Australia at present and it has been for the last 15 to 20 years. What does the Territory government do about that? Not too much, Mr Speaker. Nevertheless, it is content with sending people who have 1 marijuana plant in their windowsill to jail for 2 years. That says a great deal about priorities.

What we need to put in place is a realistic drug education strategy that recognises the harm that different drugs, including alcohol and nicotine, can cause to a person and so try to wean intelligent people off those drugs. But what do we have in this legislation? We have no drug education perspective at all. There is no call in the legislation for courts to call for assessment of drug dependence in regard to serious offences involving drugs of addiction. We have no provision for treatment centres for confirmed drug addicts. There is nothing like that. Instead, we have this heavy-handed attack that does not discriminate between different classes and categories of drugs.

I suggest also that we target much more specifically the problem areas such as trafficking in and the growing and manufacture of commercial quantities of drugs. No one wants to see that happen. We need to identify that clearly as a problem and concentrate our resources on that, and leave aside all this other nonsense. If that is not done, the police will not be tackling the real crime pattern and the real crime problem and, as a result, we will have a growth in drug activity in the Northern Territory. If the government is serious about this package of legislation and if it wants to tackle all these problems, it will need to increase dramatically the level of resources given to the police in the Northern Territory. Quite clearly, the government does not intend to do that. It will not provide a clear lead to the police on the areas on which they should concentrate such as trafficking, manufacturing and commercial growing. That is too simple for the government. It wants this heavy-handed, unthoughtful approach that has been discredited almost everywhere else and that very prominent people say will not work. This government is living in the 19th century rather than the 20th century.

Mr Reed: Do you think that the police might have had a bit of input into this or not?

Mr SMITH: If the police have had some impact on this, this is the first piece of legislation for quite a while where that has occurred.

Mr Speaker, it gives us no pleasure to oppose this package of legislation because we recognise that there is community concern about drugs and we recognise that the community wants to see some action. I take the point made by the member for Jingili that, as yet, the position in the Northern Territory is not as bad as it is elsewhere, and certainly we do not want it to become as bad as it is elsewhere. However, the government cannot expect the people of the Northern Territory and this opposition to support legislation that so blatantly lies to people about the drug problem that exists in the Northern Territory and so blatantly fails to provide a lead to the community about the priorities in drug prevention in the Northern Territory.

After the initial furore over the Poisons and Dangerous Drugs Amendment Bill, the government had an opportunity to get it right. At that stage, it knew the strength of community feeling in respect of very basic questions like the home use of marijuana and growing it for personal use. That is the reason why this legislation will not work. It does not establish the priorities for action. It does not provide the community with a lead. It does not say to the community of the Northern Territory that a very serious problem exists in relation to trafficking, growing and manufacture. Instead, it is attempting to persuade people that all drugs are bad in all circumstances. Unfortunately, the people in the community do not believe that. They will not believe the government and they will not take any

notice. The police will not enforce parts of this legislation. Instead of rectifying a problem, the government will probably make it worse.

Mr VALE (Tourism): Mr Speaker, I would like to speak in support of this legislation. The member for MacDonnell commented on the problems associated with petrol sniffing. From time to time, at least in central Australia, when one reads newspaper articles and visits some of the Aboriginal communities, one gains the impression that petrol sniffing and alcohol abuse have taken over completely. In fact, that is nonsense. It is not true. Whilst these problems have had a dramatic and detrimental effect on many of the larger communities, I can name at least 10 small Aboriginal communities in central Australia where alcohol consumption and petrol sniffing do not constitute a problem at all. The member for Sadadeen would know of at least 1 community to which I am referring. Sometimes, governments make a drastic mistake when they set up inquiries which begin by asking where the problem lies. They look at communities which are affected by alcohol abuse or petrol sniffing and focus their inquiries on them. To my knowledge, no inquiry has ever stepped back and asked where the problem does not exist. A study of Aboriginal communities which do not have problems associated with alcohol abuse or petrol sniffing could yield some very interesting answers.

Some years ago, I visited Kintore. I was talking to the old men and some of the younger children there. Suddenly, a vehicle came roaring along the airstrip on 2 wheels. It spun around and came to a stop. A young lad got out. He was as high as a kite. He had a super octane rating. An old man picked up a hunk of steel, walked over to him and proceeded to give him a hiding. From memory, the hunk of steel was a crank handle, and the old man then set upon the car. He smashed the windscreen. He then lifted up the bonnet and smashed everything that was plastic or wiring.

Later that afternoon, we flew to Warrabri. A young coloured bloke had taken over the sports and recreation responsibilities in the community. He had organised activities such as boxing, badminton, basketball and football and the rest. I spoke with some police officers, members of the Aboriginal council and some of the women. They said that, since that lad had been present, there had been absolutely no problems associated with alcohol abuse and petrol sniffing. The contrast between those 2 communities is the type of thing that needs to be examined. It is interesting that a football team with which I am associated in my electorate drew much of its support for many years from the Gap area or the kids commonly known in central Australia as the Gappies. A Marist Brother, Ed Havelock, worked closely with Aboriginal kids in central Australia. He said that, during the football season, the problems associated with those kids, such as breaking and entering, pinching cars and drinking, disappeared completely.

Although this legislation refers to the general public and situations where people may cultivate, be in possession of or decide to be involved in the use of certain drugs, its implications are very relevant to my portfolio responsibilities for sport and recreation. Honourable members would be aware of the recent inquiry into the use of drugs in sport in Australia and the many revelations which have indicated that this is a reality regardless of our Olympic ideals. The prevalence of the use of performance enhancing substances in sport is such that it is of concern to all involved in the administration of sport throughout Australia. I support the intention of this legislation, knowing that it will assist in the National Campaign against Drug Abuse.

I would like to draw the attention of the Assembly to the work being done by the Office of Youth, Sport and Recreation in an attempt to ensure that sport in the Territory is drug free. Towards the end of 1989, I signed into general sport and recreation policy a provision that individuals - be they coaches, administrators, officials or players - proven to be involved in the promotion, use, sale or distribution of performance enhancing substances would not receive government support for the further development of their respective sporting careers. In this regard, the relevant legislation gives authorities the power to press charges against individuals involved in such behaviour. This legislation is also very timely in that, during 1989, all sport and recreation ministers in Australia agreed to a national uniform drug testing program in sport.

Currently, Australia is one of the few nations in the world where random drug testing of athletes is a nationally supported program. This applies to all levels of sport. The Commonwealth government has taken responsibility for random testing of national athletes while the state and the Northern Territory governments do likewise in their respective areas of jurisdiction. My office is currently developing details for the implementation of a random drug testing program in the Territory, a program which will test athletes during competition as well as during training.

At the national level, Australia's first drug testing clinic received international accreditation earlier this year. This clinic, situated in Sydney, provided drug testing facilities for the recent Commonwealth Games in Auckland, and we are all aware of some of those results. Prior to this, official Australian drug testing had to be carried out overseas, a very costly and time-consuming process.

Australia can also boast of a national education program aimed at encouraging athletes to participate in drug-free sport. Mr Speaker, you and other members would be aware that 2 of our national athletes, Kerry Saxby and Darren Clark, are visiting the Territory to promote drug-free sport through sports clinics. These clinics are jointly funded by the Northern Territory and federal governments. When outstanding athletes such as these 2 young Australians can achieve world status through hard work, natural talent and determination, we should each take pride in their performances and make every effort to support them.

I highlight these programs as examples of how my sport and recreation portfolio is actively supporting this new legislation. Legislation such as this is but one step in the whole process of creating a drug-free society. Let us not kid ourselves. This legislation is only part of the story. Each of us has a responsibility to ensure that we do everything within our power to reinforce the principle behind the legislation. I have supported that principle, along with my sports and recreation colleagues nationwide, in actively addressing the misuse of drugs through policy, programs and education. I support the legislation.

Mr EDE (Stuart): Mr Speaker, one of the strongest charges which children level against adults is that they are a mob of hypocrites. It is a fact. Adults are hypocrites. Children learn that at a very early age. It affects their relationship with adults and it affects their behaviour as the years go by.

Mr Perron: Were you ever one yourself?

Mr EDE: Unlike the Chief Minister, I am speaking about legislation which is to affect all Territorians, not only myself.

Mr Speaker, we tell children that smoking is a terrible thing while they are young, yet somehow, it will be all right when they are 16. They should not light up until that stage, but it is all right for us because we are older. The story in respect of alcohol is much the same, except that suddenly it becomes okay when they turn 18. We tell them that one little puff of marijuana will put them on a never-ending road which will lead them to harder and harder drugs, culminating in the gutters of Kings Cross. We tell them that one experimentation with a hard drug means a lifetime of addiction. We tell them not to fall asleep or get drunk in case someone gives them a single shot or injection because, if that happens, they will have had it for good. That, of course, is a pack of lies.

Although we continue to peddle these lies to our young, they twig that they are being lied to. It requires only a single experience to destroy our credibility when children discover that something we have told them is not true. It is all very well to give our children a ranked list of drugs and to say that they are not permitted to touch them. However, the fact is that the most dangerous drug in our society, the drug which does the most damage and kills the most people, is nicotine. That is followed by alcohol, which is followed by hard drugs. Marijuana comes next, being more dangerous than tea or coffee.

What a load of hypocrites we are, Mr Speaker! The problem is that, while other states are moving gradually towards coming to grips with the whole problem, this legislation is racing off in the opposite direction and trying to patch over all the lies and the untruths which are told to our children. This legislation will create more chances for the young to be classified as criminals and hammer them with heavier penalties. Because of a childish prank, a person can end up with a criminal record for life, a record which may have the very effect which the honourable minister says he is trying to prevent. Children will be tarred with the brush of criminality. They will be told: 'You are a criminal because we found a small joint in your school bag'. The response might be: 'Come on, I have been carrying it around for a year and a half. I show it off to the other kids and they think that I am a big fellow'. Children in that situation will be guilty of the crime of possession of drugs.

Elsewhere, such activities as the growing of marijuana for personal consumption are being classified as summary offences rather than criminal offences. We are moving in the opposite direction at 100 mph. We are making it a criminal offence punishable by a 2-year jail term. In fact, my reading of the legislation is that a person is better off if he does not grow the substance himself but finds a provider. He will end up with fewer problems if he finds himself a trafficker. What does that achieve? It achieves a more profitable situation for traffickers. What a ridiculous situation, Mr Speaker! Legislation which is supposed to improve the situation is actually set up in such a way that it will make things worse.

We are talking about the criminalisation of the young. We are talking about lying to them. We are telling them palpable untruths. We then ask them to believe us and trust us as their leaders. How can we tell them that we are leaders and that they should follow our rules, when we tell them lies, lies, lies?

Mr Finch: You speak for yourself.

Mr EDE: It is your government. You stood up in the party room and supported it. We do not. We want an end to the lies and an end to the hypocrisy.

Mr Finch: There is an easy solution.

Mr Manzie: You can make it part of your election platform. I am sure that you have the guts to do that.

Mr EDE: Yes, we have guts on this side of the House.

Mr Manzie: I am sure you do.

Mr EDE: When you have a problem of this nature in politics, one thing should guide you. There is no truth in the government's contribution to this debate.

Mr Palmer: It is all right for kids to experiment with heroin, is it?

Mr EDE: Mr Speaker, that absolutely inane comment from the member for Karama exemplifies the reason why he will not be here after the next election. Putting that type of construction on a serious matter like this only adds fuel to the fire and prevents us from coming to grips with the problem. The government attempts to play politics with this issue whenever it arises. Members opposite seem to be unable to resist that temptation. It is to their shame. In addition, it reflects very poorly on the commitment which they should have to the young and the commitment which they should have to solving a very serious community problem. It is a crying shame. The government's approach will take us further down the road into the mire. It will make the situation worse rather than better. It means that, when we come to power, we will have to do so much extra work just to return to the stage we have reached now, before we begin to take the Territory forward. It is a crying shame.

When will members on the other side of the House stop lying to children solely in order to score some political points and some perceived electoral advantage? Why don't they simply say: 'Let us strip away the lies. Let us tell the truth, for a change. Let us tell people the reality of where we stand in relation to drugs'. It is a shame that this government still has not done that and, unfortunately, will not learn.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, my remarks in support of this legislation will be brief. It may not be the most ideal legislation but, nevertheless, it is legislation which any sensible person who has the interest of the community at heart could not but agree with. I listened to what the Deputy Leader of the Opposition and the Leader of the Opposition said. I do not believe it is telling lies to the children. It may not be perfect legislation, but it goes further than previous legislation has towards controlling the drug consumption by certain members of the community to the betterment of the community. It has been proved by more than one committee or individual that people, especially young people, will experiment with drugs. Usually, they experiment first with a drug that is easier to obtain than others. That is a soft drug which is taken in a small dose. I am not stretching the truth when I say that, if they experience good feelings with a small dose, they will increase the next dose or they will increase the incidences of the small doses. It is hiding from the truth not to say that, if the person is so inclined, he or she will proceed from soft to hard drugs. We have to take a stand somewhere and this legislation does that.

I am aware of the dangers of the ingestion of nicotine and alcohol in the community. Already we have legislation dealing with the sale of alcohol. There is legislation dealing with the availability of nicotine in

the form of tobacco to minors. It may not be the most ideal situation but, in considering the matter of dangerous drugs vis-a-vis alcohol and nicotine, we have to consider community standards. One could say that is a case of the old cliche that 2 wrongs do not make a right! Nobody would say that excessive use of alcohol or tobacco is good for a person. It can cause death. However, one would be turning away from history if one did not concede that the general community is more likely to accept the ingestion of tobacco and alcohol than the taking of drugs. That is a fact of life.

There was comment about the mistrust with which children view adults. This may be the case with certain children and certain parents. Nevertheless, to some extent, there needs to be an acceptance of life as it is. We do not have a perfect community. There is no such thing as a perfect individual or a perfect parent/child relationship. We try to do the best we can in relation to our children. In view of what honourable members have said about the mistrust that they believe children hold for their parents if the parents smoke or drink, it is surprising that there are any continuing parent/child relationships. The fact is that there are. Therefore, the children need to be - although I don't like to say it - a little cynical or it could be simply that they need to accept certain realities in life.

By saying this, I am in no way condoning the smoking of tobacco. I do not smoke. I did many years ago, but it did not appeal to me. I am not a wowser. I drink alcohol in moderation. Given community standards, I believe this legislation is what the community is looking for. It is seeking guidance in terms of government intervention in relation to the drug taking habits of certain members of the community. It is not perfect legislation, but it will go some way towards controlling the situation.

Mr COLLINS (Sadadeen): Mr Speaker, the debate this afternoon seems to be filled with vacillation and seeming contradiction. This is a complex problem, but I certainly cannot agree with the general theme of the opposition's consensus approach that, because so many people in the community are using marijuana, we had better go soft on them and, if they have a plant or two in the window box, we should turn a blind eye. To my mind, either it is right or it is wrong. I believe the community expects us to provide a lead. It would hold us in grave contempt if we did not set a higher standard than the would-be consensus approach, the lack of leadership approach or, dare I say it, the Hawke approach of determining which way the wind is blowing and then taking a stab in that direction. We should put a higher standard on it, and this legislation aims to do that.

I certainly think it is a greater lie to say to children that a little bit is okay because many people take a little, but a large quantity is very bad. That is more hypocritical than saying that, as legislators, we believe something is bad for the community and that these substances do not add to the quality of life nor to the moral fibre and strength of the nation to which we belong. If our people become dependent on substances, will that help Australia in any way, shape or form to be a decent nation? These substances are around and temptations are put in front of young children and young adults. No doubt, each of us is tempted from time to time, and I am sure many would have become involved in the drug scene as a result of dares or what is called peer pressure. As the member for Koolpinyah said, it does not take them long before they are increasing the dose.

I dare say that no person who has taken alcohol for the first time can ever know whether he will become addicted to it or whether he will be one of those fortunate people who can enjoy a drink in moderation. That is the

danger that some face. A considerable amount of study has been done on the subject. I have often said that I admire those people who are able to maintain control over what they drink. However, even those who drink in moderation and whose behaviour is socially acceptable may find that, when a crisis occurs in their life, they need that prop. All of these things are used as props that people use to help them through life's problems.

It is the demand side of the equation that concerns me. There might be a grain of truth in the member for MacDonnell's belief that there is not too much pushing occurring. Many people in the community are demanding these drugs. If there were no demand for drugs, there would be no point in supplying them. We should address this as well. Of course, education can help people to realise that they can stand on their own 2 feet. That is the clear message delivered at the Life Education Centres which are working strongly not only against the use of heroin and marijuana, but also alcohol and nicotine. The problem is a reflection of the community. What sort of community are we? Are we a community of strong, tough Australians who can take what life throws at us and stand on our own feet, or are we becoming a nation of people who fall back on various drugs to give us a lift? Are we unable to enjoy life without something to stimulate us? That would be a terrible state of affairs, but it seems that, more and more, we are heading that way.

Even if there are many people smoking marijuana, we should not go soft on it. We must give a clear direction. I believe that many people who have a dependency, even on soft drugs, realise in their saner and more sober moments that they would rather not be dependent on those drugs. We must bring the message home to the people whom we are most concerned about - our own children. We have a duty to stand firm and indicate the standard that we believe in. It may not be the average of community standards. We might not be popular in the process, but we must set a standard and maintain that standard. I support the legislation. I am particularly pleased that the property of persons convicted of selling drugs can be seized. That is long overdue.

Mr MANZIE (Attorney-General): Mr Speaker, the debate on this legislation has been a bit of any eye-opener. It is clear that some members do not understand the legislation and also have a problem in their attitude towards some drugs. The member for MacDonnell, the Leader of the Opposition and the member for Stuart were really saying that it is okay to use some drugs in small amounts but it is not okay to use those drugs in large amounts. It is not okay for certain quantities of drugs to be sold in certain areas, but it is okay if it is done on a small scale. That attitude reflects naivete and the receipt of information from people who have closed minds. It reflects familiarity with people who believe that it is okay to use a little bit of marijuana. If they think it is okay to use a little bit of marijuana, the appropriate and less hypocritical step would be to propose an amendment to decriminalise marijuana.

The Leader of the Opposition said that this legislation means that someone with 1 plant on his windowsill will go to jail for 2 years. That is patently incorrect. It shows that he has not read the legislation. A penalty of 2 years would be imposed for 4 plants for a third or fourth offence. I have been advised that 1 cannabis plant can produce 500 g of cannabis and, therefore, 4 plants can produce 2000 g of cannabis. That amount could be worth up to $50 000 at the street level. If the Leader of the Opposition thinks people will grow plants purely for their own use when they can make $50 000 out of it, he is living in cloud cuckoo land. In other words, we are saying that 2 years is the maximum penalty for 4 plants

for a third or fourth offence. That could easily have brought in an income of $150 000 to $200 000.

Obviously, the courts will treat the person with 1 marijuana cigarette in his possession for a first or second offence far more leniently than the person who has been dealing with up to 2000 g of cannabis. The suggestion that this legislation will put people in jail for many years for having 1 marijuana cigarette shows that members of the opposition are trying to denigrate the provisions of this legislation in order to curry flavour with their supporters, with their advisers or with people with whom they deal. I think that it is most hypocritical.

We need to be fair dinkum about what we are doing here. The Parliamentary Joint Committee on the National Crime Authority in its publication, 'Rethinking Drug Policy', said: 'Cannabis causes mental illness in some cases and makes schizophrenia worse. Smoking the drug causes chronic bronchitis and makes breathing more difficult. Prolonged heavy smoking of cannabis will probably cause lung cancer. Alcohol and cannabis cause a pattern of birth defects including mental retardation, growth deficiency and facial deformities'. We are becoming more aware of the problems that the drug causes in the same way that we are becoming more aware of the problems that alcohol and cigarettes cause. We are slowly controlling the use of tobacco. People are being prevented from using tobacco in certain areas. We are preventing and controlling alcohol use. We have communities in the Northern Territory where it is totally prohibited to possess it.

As we become more enlightened, why should we be dishonest with young people by saying to them that it is okay to abuse this particular drug a little but it is not okay to abuse it in large amounts. That is crazy thinking. If members opposite want to go soft on marijuana, they should be fair dinkum and have the guts to say: 'Let's go soft on marijuana'. Other people have said it throughout the country. If they want to wave the flag, they should make it part of their election policy. Let the community know. They should say: 'If you elect us, we will remove this from the legislation. We will go soft on marijuana'. Don't walk around in circles about it.

The truth is that people who abuse drugs, abuse their bodies and abuse the whole community. It costs everyone money. If we want to be fair dinkum in this Assembly, we must ensure that we introduce legislation that can operate. At present, we have a situation in which a Supreme Court judge made a pertinent comment in relation to a matter that was before him. He said that he knew that marijuana was smoked in a certain bar in a hotel in this town. He said most people in the town knew that marijuana was smoked there. The police knew of it, as did senior government people. He could not understand why that action could occur without people being prosecuted. The police were not arresting people for it, and he said the only reason that it could occur was because some very senior government officials, parliamentarians and police were involved in a cover-up. The reason it is able to occur is simple. It is because the present legislation is structured in such a way that it is impossible for police to be able to enter hotels and catch offenders in the act of using the drug, selling the drug or possessing the drug. As soon as police arrive, whatever is being held is dropped to the floor, and that is the end of the story. It is very simple.

This legislation is extremely innovative.

Mr Bell: What a load of rubbish, Daryl.

Mr MANZIE: The member for MacDonnell was very eager to stand in this House and say that this is dreadful stuff. I am glad he has come back, because I will try to explain to him some of the problems that he seems to have with this legislation.

First, the legislation itself divides drugs into 2 types and these are listed in schedule 1 and schedule 2. Secondly, we are making the penalties vary in relation to the places where the offences occur. We are imposing far heavier penalties where offences occur in public places, hotels and schools than those imposed in terms of private residences and, if people want to abuse drugs in private residences, those offences will not attract the same penalty. The job of the police will be made considerably easier in actually apprehending and prosecuting people under those circumstances because, in public areas, these offences are very difficult to apprehend and to prove under normal evidentiary procedures. If we are fair dinkum, if this Assembly believes that it should be against the law for people to abuse drugs, possess drugs or deal in drugs, we need legislation which will enable the police to act and to prosecute offenders successfully. We have done that.

In relation to the penalties, I am sure that the honourable member heard what I said earlier. In any event, he can read Hansard later and discover the falsity of his claims of monstrous fines and jail sentences for possession of 1 marijuana cigarette. In addition, we are looking at amounts - small amounts, personal quantities, trafficable quantities and commercial quantities - and graduating penalties according to quantities involved. I think it is only fair and proper that we do do that.

This legislation is not part of the needle exchange process. That particular amendment was removed. This is a completely new package of legislation that looks at the whole question from a different direction. It was introduced 12 months ago. It has been distributed more widely than any other legislation that I can think of. It has been available for comment and some comments have been made on it. I noted that even the Leader of the Opposition sent out a notification in his newsletter saying that the Legislative Assembly was introducing amendments and changes to the drug legislation and increasing penalties for offences and that, if people wanted more information about it or wanted to comment, they should contact him.

Mr Smith: Why do you think I made the comments that I made? It was because people responded.

Mr FIRMIN: A point of order, Mr Speaker! The Leader of the Opposition knows full well that he should not interject while a member is speaking. However, if he must interject, he certainly should not do so when he is not in his own seat.

Mr SPEAKER: Order! The member for Ludmilla is quite correct. No member may comment except from his own designated seat.

Mr MANZIE: Mr Speaker, as I was saying, the Leader of the Opposition implied in his newsletter that somehow or other he was involved in the process of advocating stricter drug laws. It is only fair to the community that people should have the opportunity to know where he stands. As I said earlier, he should come clean. If the Leader of the Opposition wants to say that marijuana should be decriminalised, let him stand up and say so. Let him have at least the intestinal fortitude to nail his flag to the mast.

Mr Bell: Well, you are moving the other way.

Mr MANZIE: I am following what is occurring throughout the civilised world. In America, people are saying that they got it wrong, that the great problems that they have in that country with drug abuse and the tremendous degradation of whole communities because of drug abuse, was brought about by an attitude 20 years ago that led them to adopt a softer and gentler approach. They thought that, if they tried to understand, everything would be all right. It did not work, and now people are tearing their hair out, and wondering which way to go next. Look at the problems with cocaine abuse in some of the major urban areas in America. The situation is absolutely appalling. Look at what has occurred in Melbourne and Sydney and the problems that are spreading to Queensland and across to South Australia. The solutions that were put forward 20 years ago have not worked. It is no use advocating more of the same, because that is a cop-out. If we wish to be responsible, we cannot do that. If we are moving towards tightening up on tobacco and alcohol abuse, why should we be softer with the abuse of other substances that people are using in the community?

I have had a very clear message from people regarding this legislation and, as I said, I have had it distributed far and wide. Every school council in the Northern Territory has a copy of it, as do church and community organisations. I have received response after response saying that it is time that we did something to ensure that the sale of drugs is restricted and to penalise those who make capital out of them. It is a filthy business.

Mr Smith: We do not have a problem with that, do we?

Mr Bell: No, it is fine.

Mr MANZIE: That is not what you said in this House. You said that we should go easy on some things, that we should turn a blind eye to the personal use of marijuana and the growing of it for personal use. As I pointed out earlier, the amount of money involved in even up 4 mature plants makes it extremely worth while for someone to cultivate 4 plants and sell the crop.

We cannot have it both ways. We cannot say it is all right for a little bit but not for a larger amount. We say either no or yes. We said so many years ago. We have legislation that is operating at present, and it imposes a maximum penalty of a prison sentence for possession and use of amounts of marijuana. It contains penalties of that kind, but the operation of the wording of the legislation is such that it is very hard for the police to be able to obtain the appropriate evidence. This new legislation is directed at making enforcement easier, and that has to be the case if we are fair dinkum. If we are not going to be fair dinkum, if we are going to say it is all too hard, then we should not be hypocritical about it. If members feel that way, let them say that the legislation should be withdrawn. It is useless to be halfhearted about it.

There is an important fact that each of us should keep in mind. It is all very well to say that we should get the pushers and the suppliers. How can we get tough with the pushers and go easy on the users? Without users, there would be no pushers. If people did not purchase, people would not sell. If we go soft on users and make it easy for them to purchase, people will continue to supply and sell, and that would show that we were not fair dinkum. We have to learn from the experience in the rest of the

world. We have to take note of it. We have to take note of what the community is saying.

We are spending many millions of dollars now in cleaning up. We are spending many millions of dollars in education programs throughout the country. We have some excellent programs in the Territory such as Life Education and DARE. The Department of Health and Community Services is running some excellent programs. We are losing millions of dollars in relation to lost productivity and ruined lives. It is a very serious problem. There are also serious problems in respect of the abuse of other drugs such as alcohol. Kava has been mentioned and we are all aware that the Minister for Health and Community Services is taking steps in regard to kava.

In relation to alcohol and alcohol abuse, we have been quite tough. We have introduced provisions in the Territory that do not apply anywhere else. We have dry communities where alcohol is totally banned. We seize vehicles and property. We are really tough. What happens if you have one bottle of beer in a dry area? We reckon that is okay, but then there are suggestions that we should go soft and let the kids abuse marijuana. We cannot have it both ways. It might make honourable members feel nice to say that we should go easy on this because everyone is doing it. Everyone is not doing it! It is not true that 30% of the community is growing marijuana in backyards, as members opposite claim. If that is the case, they must have some pretty strange friends because, by crikey, they have a responsibility to ensure that people are not breaking the law. Certainly, 30% of my friends are not growing marijuana, and I am sure that any claim that 30% of the Territory population is abusing drugs is wide of the mark.

I certainly do not apologise in any way for this legislation. I believe it could be firmer in many aspects. I also make it very clear that this legislation is not immutable and we will certainly monitor its operation closely, and we will make any changes that are necessary or desirable.

Mr Smith: Who is going to do it?

Mr MANZIE: The parliament and the government, as we do with everything else. It is a normal process to modify and to make alterations to legislation, and there should be no reason why this should be any different at all.

One honourable member asked how it will be determined that a person is dependent on a drug or drugs. I have been advised that the Department of Health and Community Services is now examining the practicability and desirability of setting up drug assessment panels and will certainly be monitoring the operation of the legislation in that regard.

There was a question about people making up mixtures of drugs, analogue drugs or designer drugs. Clause 3(2)(b) of the Misuse of Drugs Bill provides for 'a substance ("drug analogue") which is, in relation to another substance (being a dangerous drug specified in schedule 1 or 2, or a stereoisomer, a structural isomer (with the same constituent groups) or an alkaloid of such a drug or substance)'. The designer drugs are picked up in the definition. As I said, some of this legislation is quite broad and it closes the loopholes that existed in the legislation we are operating under at present.

Amphetamines are something else that I would like to mention. The use of amphetamines has been brought to our attention by the Channel 6 current

affairs program Four Corners. A few years ago, amphetamines were not only tolerated, they were legal. Methedrine and drugs of that kind could be purchased freely from chemists. Commercial drugs such as No-Doze were available and the advertising blurb said that a person could drive all day and all night if he used it. Drugs of that kind contained amphetamines. The community has gradually changed its thinking on amphetamines. They are banned now. They are seen to be causing very serious problems in the trucking industry, and have been connected with some of the horrendous accidents that have occurred recently. We have witnessed the growth of a trade in amphetamines under the control of bikie groups. A few years ago, amphetamines could be purchased easily and now we are finding that they are destroying lives and becoming the source of large incomes for people engaged in illegal trading.

The more we learn about drugs, the more we learn of the problems that they are causing. Every day, we are learning more about drugs like marijuana. We are learning more about tobacco and alcohol. We have a responsibility to ensure that any legislation that we enact can be implemented. We have a responsibility to put across the message that drugs should not be available in our community and that we are taking all steps to ensure that our legislation prevents drug abuse.

Motion agreed to; bill read a second time.

In committee:

Misuse of Drugs Bill (Serial 199):

Clauses 1 and 2 agreed to.

Clause 3:

Mr MANZIE: Mr Chairman, I move amendment 101.1.

Amendment agreed to.

Mr MANZIE: Mr Chairman, I move amendments 101.2 and 101.3.

Mr BELL: I note that amendment 101.2 amends the definition of 'dangerous drug'. It makes it much more specific. The insertion is tightening the legislation because it omits from the definition 'any part of the plant' and inserts in its stead 'any part of the plant being a part not specified in schedule 1 or 2 from which a substance or thing referred to in schedule 1 or 2 can be obtained'. Can the minister explain the need for that redrafting?

Mr MANZIE: The purpose of amendment 101.2 is twofold. First, it will ensure that only those parts of a plant from which a dangerous drug can be extracted or obtained are covered by the definition of a 'dangerous drug'. For example, the flowering head of the cannabis plant is covered, but not the innocuous fibre of the plant. Secondly, it will ensure that a single plant cut into 100 parts does not become, by definition, 100 plants.

Amendments agreed to.

Clause 3, as amended, agreed to.

Clauses 4 to 6 agreed to.

Clause 7 negatived.

New clause 7:

Mr MANZIE: I move amendment 101.4.

It was put to the government that clause 7 as it interrelates with clause 37 could operate unfairly against a person who is convicted of cultivating only 1 prohibited plant. As the bill stood, such a person would ordinarily be sent to prison for a first such offence. The government has decided to introduce a 3-tier system under which people who cultivate fewer than 5 plants will now face a maximum penalty of 2 years imprisonment. This is unlikely to lead to imprisonment for a first offence. People who cultivate between 5 and 19 plants will face a maximum penalty of 7 years and those who cultivate more than 20 plants face 25 years imprisonment.

This is broadly in line with the provisions in other jurisdictions. For example, in relation to cannabis, New South Wales has a small quantity cut-off point of 5 plants. The ACT legislation provides that a person who cultivates more than 5 plants is presumed to be cultivating only for the purpose of sale or supply unless he proves otherwise. The new structure makes it unnecessary to retain the rather complicated either number of plants or weight formula. The maximum penalties are there and the courts have the ability to assess. It would have to be at least a third offence for the prison penalty to apply. As I pointed out earlier, the amounts of money that could be involved are quite substantial.

New clause 7 agreed to.

Clauses 8 to 11 agreed to.

Mr MANZIE: Mr Chairman, I move amendment 101.5.

Apart from syntax, new subclause (2) is exactly the same as the old one. The main object of subclause (2) is to encourage intravenous drug users to collect clean needles from outlets at which health information posters, booklets, swabs, tests and advice are available. In addition, the more emphasis there is on needle exchange rather than needle supply, the better. However, for a variety of reasons, some intravenous drug users may find it difficult to travel to the nearest lawful point of supply. Obviously, we do not want all those people using dirty needles, because that is one sure way of spreading disease, and not only AIDS but all sorts of diseases. It is necessary, therefore, to enable one person to collect clean needles on behalf of another. However, if some limit is not placed on this activities, drug users and dealers could stockpile needles and effectively set up their own private outlets. This could certainly destroy the object of subclause (2).

The new subclause (2A) has therefore been very carefully designed to allow one person to collect needles on behalf of another whilst, at the same time, maintaining as far as possible the integrity of subclause (2).

Mr EDE: Mr Chairman. I would first like clarification of a point in relation to 12(1). It states: 'A person who unlawfully possesses a thing (other than a hypodermic syringe or needle) for use in administration of a dangerous drug is guilty of an offence'. I would like clarification of that in relation to a bong. Honourable members would have seen bongs for sale in various tourist shops. It is quite common for people, even teenagers, to have one on the shelf somewhere. They may not even use it, but it provides

a talking point. I have seen them with plants growing out of them. Some are quite artistic and are imported from Arabia. Do these things come under the definition? Could someone who has a bong or hookah in his house be liable for 2 years in jail? We could perhaps raid the shops in town which sell them and fine the proprietors a couple of thousand dollars each before sending them to jail for a couple of years each.

As my honourable colleague said, there is also the matter of cigarette papers. I probably have some in my hotel room, despite giving up smoking once again. Obviously, they are used in the administration of drugs. That is what they roll cannabis in. It refers to 'unlawful possession' of the 'thing'. Does that mean that the person has to steal it? Can you be in lawful possession of an object which is used for an unlawful purpose?

Mr MANZIE: Mr Chairman, it is quite clear that its use in the administration of a dangerous drug is what makes it unlawful. If it is an ornament, there is no offence. The throwaway line about the $2000 ...

Mr Ede: It is not the use; it is the possession!

Mr MANZIE: On the day that the fines that are listed here are imposed by the court, probably I will not be around. It is very clear. If it is for use in the administration of a dangerous drug, it is an offence. And that is it. If it is an ornament, it is not a problem.

Mr Ede: It is the possession. It is not the usage. Under this provision, it is the possession.

Mr MANZIE: That is the possession of something that is used in the administration ...

Mr Perron: Possession for use of.

Mr MANZIE: That is right. It has to be proved in a court, beyond reasonable doubt and, if those points are not proven, there would be no offence. If someone has the instrument, whatever it may be, and the drug is in it, the fact that it is claimed to be a flower vase will not be considered an excuse.

Mr EDE: Mr Chairman, I am as confused as everybody else is with regard to clause 12(1).

Mr Perron: What do you mean, 'everybody else'? Speak for yourself!

Mr EDE: The honourable minister said he was confused. I was confused.

Mr Manzie: I was confused by your presentation.

Mr EDE: Mr Chairman, let us move to new clause 12(2A). I am glad that clause 12(2A) has been inserted, but I would like to query the mirror image, if you like, of that. This refers to a situation in which one person obtained a clean hypodermic syringe from a medical practitioner for another person. That concerns an unused syringe or needle. What happens if that same person takes one of the dirty needles from the person who has finished using it and is taking that to the needle exchange point? Where is that person covered or, on that leg of the trip, is he in possession of the used syringe or needle and liable to a penalty of $2000 or 2 years imprisonment?

Mr MANZIE: Mr Chairman, the purpose of the inclusion of new subclause 12(2A) is to ensure that one person may to act on behalf of another person to exchange a needle under the needle exchange provisions. It is also very tight to ensure that people do not do a round delivering new needles to all their friends. Obviously, under those conditions, the ability for people who are dealing in drugs to carry around a supply of needles cannot be prevented by law. However, the provision is there to enable the provisions of the needle exchange program to be utilised and to allow a third party, under restricted conditions, to carry out that role. That is pretty clear. I read it out before and, if the honourable member cannot understand it, perhaps when he reads Hansard later, he will understand it. The provision is to enable that to occur, but to occur under some control.

Mr EDE: That is not good enough for me, Mr Chairman.

Mr MANZIE: I am sorry, but that is all you are going to get. Tell me what you do not understand.

Mr EDE: That is what I am about to tell you. Don't get too uppity.

Mr Manzie: I am not getting uppity. You have a bit of a problem, I am afraid.

Mr EDE: The honourable minister has a function to perform in this House.

The new subclause (2A) says: 'It is a defence to a prosecution for an offence against subsection (2) if the defendant proves that he or she obtained the hypodermic syringe or needle from a medical practitioner, pharmacist or authorised person' - I presume that the 'authorised person' may be a body, like the AIDS Support Group or something similar - 'referred to in that subsection for the use of another person in the administration of a dangerous drug to that other person and the defendant supplied it to the other person, in its unused state, as soon as practicable after obtaining it'.

This refers to a person who is acting as a go-between. That person has gone to a medical practitioner or the AIDS clinic and has obtained a clean needle which is to be taken to the other person. As I understood the needle exchange provisions, a person cannot just go to the clinic and ask for a clean needle and take it and give it to a mate. He must first take in a dirty needle to exchange.

Mr Collins: That is in practice.

Mr EDE: You can get up in a minute.

As I understand it, a dirty needle has to be exchanged for it. What happens when the person acting as go-between is travelling with the dirty needle? Where is that person protected under this legislation?

Mr MANZIE: Mr Chairman, it is pretty simple, and I will explain it slowly. The short answer is that there are no problems because, in general terms, one of the prescribed methods for disposal under subclause (4) will be as part of the needle exchange process. It is common sense. If the member for Stuart wants to play games, that is fine but, if he is being serious, I do not mind helping him out.

Mr Ede: I am being serious.

Mr MANZIE: He certainly has not treated it very seriously.

Mr Perron: Well, you have the answer now!

Mr Ede: I have not.

Mr MANZIE: I would ask the honourable member to look at the legislation very carefully.

Mr Ede: What clause? I am talking about new subclause 12(2A).

Mr MANZIE: Clause 12(4) states: 'A person who possesses a hypodermic syringe or needle that has been used in the administration of a dangerous drug who fails to dispose of the syringe or needle in the manner prescribed is guilty of an offence'. A prescribed method of disposing of a used needle is through the needle exchange process. As the honourable member quite rightly pointed out, you take the dirty needle and you obtain a clean one. But, as I said earlier, it does not mean that, in some circumstances, a used needle may not constitute evidence of the commission of an offence. It is not lawful to administer a dangerous drug to anyone else, and that is something that I am afraid drug users will have to live with.

The needle exchange program is in place, and this House has made it very clear that the lesser of 2 evils, in terms of transmission of disease, is the provision of the needle exchange process. It is something that this legislation will enable to continue. We want to make sure it does.

Mr BELL: Mr Chairman, I would like to focus for a moment on subclause 12(3): 'A person who possesses a hypodermic syringe or needle who fails to use all reasonable care and take all reasonable precautions with it so as to avoid danger to the life, safety or health of another person is guilty of an offence'. I accept that, given current public health concerns about the spread of AIDS, it is appropriate that a legislature make a provision that applies a penalty for anybody who possesses a hypodermic syringe that may contain AIDS-infected blood. There have been some horrific stories about people who have become infected with the AIDS virus, essentially by accident, and therefore it is appropriate that the legislature take particular notice of this. I wonder if, in these circumstances, the penalty is appropriate. More importantly, I wonder if this is appropriate to the misuse of drugs legislation.

For example, that particular provision could apply in circumstances that had nothing to with heroin use. I envisage a situation in a hospital. What sort of onus does a provision like clause 12(3) place on a nurse, who has a hypodermic syringe containing AIDS-infected blood - and this I believe has happened - and the health of another person is impaired as a result. It seems to me that that subclause is quite out of place here.

Mr MANZIE: Mr Chairman, I disagree. It is quite specific in its use of the expression 'who fails to use all reasonable care and take all reasonable precautions'. I think that the honourable member hit the nail on the head. A syringe could contain an AIDS virus. In today's circumstances, any person who failed to use all reasonable care or to take reasonable precautions about treating such an instrument safely would be guilty of dereliction. Regardless of the circumstances, the courts will have an ability to assess the situation. Under some circumstances, we might consider that a maximum fine of $2000 or imprisonment for 2 years, in relation to a death that has been caused under these circumstances, is far too lenient. I have no

problems with this provision and the reasonable grounds are certainly sufficient.

Mr BELL: Mr Chairman, does the Attorney-General accept that, potentially, this subclause could have application beyond the circumstances of illegal drug use?

Mr MANZIE: Mr Chairman, that is possible. It relates to possession of a hypodermic syringe and, in all circumstances, the possession of a syringe necessitates that all reasonable care be taken. We are talking about something that can cause death. This Assembly has enacted legislation enabling intravenous drug users to exchange needles. We have taken far-reaching steps because of the consequences of the diseases that needles can carry. I do not think this is unreasonable at all. I am sure the courts can make the appropriate assessment as to whether people took reasonable care in the use of a syringe. We have to remember that, nowadays, a syringe is like a loaded gun, and it has to be treated as such. It is for that reason that that provision has been included.

Mr Bell: It is a public health measure!

Mr COLLINS: Mr Chairman, clause 12 and clause 13 are not logically consistent with one another. I still have great difficulty with the needle exchange program. In one case, a person may possess a hypodermic syringe in a variety of circumstances and that is considered to be all right. However, if he injects himself, it is not. There is no logic to it.

The member for MacDonnell mentioned something that I want to speak about. There have been people who have claimed to have had syringes containing AIDS contaminated blood and have used them as a threat or as a lethal weapon. I dare say the Criminal Code would cover that. Even to threaten someone with a dirty needle is something the public would find most abhorrent. It ought to be dealt with most severely.

Mrs PADGHAM-PURICH: Mr Chairman, I would like to take issue with the honourable minister about clause 12(4). It states: 'A person who possesses a hypodermic syringe or needle that has been used in the administration of a dangerous drug who fails to dispose of the syringe or needle in the manner prescribed is guilty of an offence'. The minister seemed to ignore that. He seemed to think that anybody who had a hypodermic syringe in his possession could be guilty of an offence. The minister told us that anybody who had a hypodermic syringe in his possession and who did not dispose of it in the prescribed manner is guilty of an offence. I do not think that is true. There are people who are quite legally entitled to use syringes. They are not using them for the administration of dangerous drugs. The minister cannot go against what is written there.

Mr Manzie: It says for the administration of dangerous drugs, Noel.

Mrs PADGHAM-PURICH: You said that it was any syringe that a person had.

Mr Manzie: I did not. You read it.

Mrs PADGHAM-PURICH: I have read it.

Mr BAILEY: Mr Chairman, I would like the minister to clarify the situation regarding clause 12(3). It states that anyone who has possession of a hypodermic syringe who fails to use all reasonable care and take all precautions to avoid danger to the life, safety or health of another person

is guilty of an offence. That has no relationship whatsoever necessarily to drugs. For example, I have a number of hypodermic syringes at home to measure out medicine for my son who has asthma. We use them every day. If someone happened to pick up one of those hypodermic syringes and pricked himself, could I be prosecuted under this legislation or would it be the same as common sense with sharp knives, power points and power tools?

Mr MANZIE: You have answered your own question. I cannot see any problem.

Amendment agreed to.

Clause 12, as amended, agreed to.

Clauses 13 to 21:

Mr BELL: Mr Chairman, I want to raise a couple of questions about clause 14: 'A person who allows another person to unlawfully administer a dangerous drug to the first-mentioned person is guilty of an offence'. I believe that there should be come qualification of that. I can imagine circumstances where A is administering a dangerous drug to himself or herself and B happens to be in the vicinity and is a stranger. Because A is of large physical stature, B might be essentially intimidated but might be construed to have allowed A to inject himself or herself. The existing provision has potential for considerable injustice.

Mr MANZIE: Mr Chairman, any suggestion that a person can be charged under this provision when he was under duress, which is a defence available under the Criminal Code, is ridiculous. The member for MacDonnell is not doing himself or the parliament justice by even suggesting that such a thing could happen. I certainly would not contemplate making it lawful for a person unlawfully to administer a dangerous drug to another. That is my final word on it.

Mrs PADGHAM-PURICH: Mr Chairman, I would like the minister to indicate how he can justify clause 13: 'A person who administers a dangerous drug to himself or herself is guilty of an offence'. How can you say that a person who administers a dangerous drug to himself is not guilty of an offence? You cannot, and therefore why do you have it in legislation?

Mr MANZIE: Mr Chairman, if there is sufficient evidence to prosecute a person for administering a dangerous drug to himself, he will be prosecuted. That is the essence of that offence.

Mrs PADGHAM-PURICH: Mr Chairman, if there are needle exchange places where drug addicts go to obtain syringes full of dangerous drugs to administer to themselves ...

Mr Manzie: They are empty syringes.

Mrs PADGHAM-PURICH: Well, they get the syringes to fill with drugs that they have and administer them to themselves. People who came here from other societies would consider this to be a ludicrous situation. On the one hand, we say that, if you administer a dangerous drug to yourself, you are guilty of an offence. On the other hand, we are offering people the syringe with which to administer the drug. I do not think police have exactly been warned off following these people, but I have an idea that I would be pretty close in saying that. If you were ridgy-didge about this, the police would

follow every person who went to obtain a syringe because they would have a pretty fair idea what they intended to do with it. And you know I am right.

Clauses 13 to 21 agreed to.

Clause 22:

Mr MANZIE: Mr Chairman, I move amendment 101.6.

Amendment agreed to.

Mr MANZIE: Mr Chairman, I move amendment 101.7.

Amendment agreed to.

Mr BELL: Mr Chairman, I want to raise some questions about the need for clause 22, that certain offences may be dealt with summarily. Recently, we increased the money limits in the Lower Courts. When this bill was presented to the Assembly, it would have been necessary to have this clause because of the money limits. The money limit in the Local Court jurisdiction has risen to $40 000 as a result of our amendment in October or November last year. I imagine there is still a necessity if you want these cases to be conducted in the Lower Court because of the extraordinary jail terms that some of those clauses provide for.

I am most unhappy about clause 22. The Attorney-General is aware of the distinction between summary and indictable offences. I do not believe that magistrates ought to be burdened with cases where somebody might be put away for 25 years or, in the case of supplying heroin to a child, for life. Lower Courts have an extraordinarily diverse workload and I do not believe that the magistrates would welcome the responsibility of deciding cases like that. It is also most likely that they would be appealed. I do not believe clause 22 is appropriate. I cannot recall how many years jail has to be attached to an offence before it is regarded as an indictable offence. Whether it is 5 years or 10 years, it is certainly less than 25. I think that this is an issue that needs to be addressed with respect to that clause.

Mr MANZIE: Mr Chairman, the amendments are formal. The first is to ensure that all penalties of 14 years or less, including fines, can be dealt with summarily. The second is to make it clear that, where a lesser penalty than $10 000 or 2 years is prescribed, that lesser penalty is the maximum penalty. Otherwise it is a standard clause which enables the less serious indictable offences to be dealt with summarily.

Clause 22, as amended, agreed to.

Clauses 23 to 27 agreed to.

Clause 28 negatived.

New clause 28:

Mr MANZIE: Mr Chairman, I move amendment 101.8.

The amendment is purely formal. Instead of applying section 147 of the Criminal Code to this legislation, that section has been transferred because it is no longer needed in the code. The new clause gives the court power to fine drug traffickers as well as sending them to prison. There is no limit on the fine and, in default of payment, a person can be imprisoned for up to

3 years. It is the most useful way of ensuring, as far as possible, that drug traffickers do not keep the proceeds of their trade.

New clause 28 agreed to.

Clauses 29 to 36 agreed to.

Clause 37:

Mr MANZIE (by leave): Mr Chairman, I move amendments 101.9, 101.10 and 101.11.

Honourable members will be aware that, under the Liquor Act, a licence can be issued over part only of a building or premises and, in fact, except for large hotels, this is what generally happens. This may well be sensible for the purposes of the Liquor Act, but it means the government's objective under this legislation, which is to stop or at least to reduce drug trafficking in pubs and clubs, could be defeated by traffickers and dealers operating right next door to the bar or in another building close by.

No doubt some members will have seen the recent Four Corners program about the use of hotels for the distribution of amphetamines. That problem is probably more widespread down south than it is here, but it makes it more important to act now before the problem gets out of hand. The definition of 'licensed premises' has therefore been expanded to include buildings and land, including car parks, used in connection with the licensed premises.

There is no substantive change to the definition of 'aggravating circumstances' or to subclause (5). Both have simply been redrafted.

Amendments agreed to.

Clause 37, as amended, agreed to.

Clauses 38 and 39 agreed to.

Clause 40:

Mr MANZIE: Mr Chairman, I move amendment 101.12.

The Law Society has submitted that the word 'conclusive' should be omitted from the ambit of clause 40(c). The government has accepted the submission and redrafted part of paragraph (c) to omit that word.

Mr BAILEY: Mr Chairman, it has already been mentioned in the debate, but I am still concerned about paragraph (c), even as amended, in that we are moving to a position where, instead of having to prove a person is guilty, the person has to prove he is innocent. That position is maintained even with this amendment.

Amendment agreed to.

Clause 40, as amended, agreed to.

Clauses 41 to 43 agreed to.

Schedule 1 agreed to.

Schedule 2:

Mr MANZIE (by leave): Mr Chairman, I move amendments 101.13, 101.14 and 101.15.

Mr Chairman, amendment 101.13 is purely formal. The other 2 amendments are consequential on amendments already made to clauses 3 and 7 which I have already explained.

Amendments agreed to.

Schedule 2, as amended, agreed to.

Title agreed to.

Poisons and Dangerous Drugs Amendment Bill (Serial 200):

Clauses 1 and 2 agreed to.

Clause 3 negatived.

Clause 4:

Mr MANZIE: Mr Chairman, I move amendment 102.2.

Amendment agreed to.

Clause 4, as amended, agreed to.

Title agreed to.

Criminal Code Amendment Bill (Serial 201):

Bill taken as a whole:

Mr MANZIE: Mr Chairman, I move amendment 103.1.

Amendment agreed to.

Bill, as amended, agreed to.

Crimes (Forfeiture of Proceeds) Amendment Bill (Serial 202):

Bill taken as a whole and agreed to.

Bills reported; report adopted.

Mr MANZIE (Attorney-General): Mr Speaker, I move that the bills be now read a third time.

Mr BAILEY (Wanguri): Mr Speaker, I bring to the attention of the House, that it would appear that, under the provisions in clause 18 of the Misuse of Drugs Bill, as passed, it may be illegal for anaesthetists to be supplied with anaesthetic gas for use in surgery.

Mr VALE (Tourism): Mr Speaker, during the second-reading debate, the Leader of the Opposition made what I believe to be an insulting remark about people who work in the TIO building. It was an allegation against people who are unable to respond for themselves in this Assembly. If my memory is correct, he made the allegation that over half the people who work in the

TIO building could well smoke marijuana. I think that those people deserve an apology from the Leader of the Opposition.

Mr BELL (MacDonnell): Mr Speaker, if ever there was a testimony that this Assembly should not sit too late at night, that was it. If the Minister for Tourism is unable to work out that the Leader of the Opposition was using the workers in the TIO building as an example of a number of people, gathered together in a workplace, and as a sample ...

Members interjecting.

Mr Vale: You read what he said.

Mr BELL: I heard what he had to say. For the benefit of members interjecting, I have no doubt that the Leader of the Opposition was referring to people in those terms in pretty much the same sense as he might refer to someone on the Clapham omnibus and, as far as I am concerned, that is where I wish the Minister for Tourism was.

Mr SMITH (Opposition Leader): Mr Speaker, I rise to pay a compliment to the people of the TIO building. I do not believe they are different from anyone else in the community.

Mr Speaker, I rise to support the comment made by the member for Wanguri. There does seem to be a prima facie case that, under clause 18, an anaesthetic gas is a volatile substance and clause 18(1) seems to prevent a person selling it to a second person who intends to use it himself or herself, or administer it to a third person or sell or supply it to a fourth person. The member for Wanguri has raised a valid point, and I would like the honourable minister to comment on that.

Mr MANZIE (Attorney-General): Mr Speaker, I do not think there is anything in that. The reference there to a volatile substance applies to petrol. I am happy to take the query on board. I will have it checked to confirm that it does not include anaesthetic gas.

Motion agreed to; bills read a third time.

ADJOURNMENT

Mr HATTON (Health and Community Services): Mr Speaker, I move that the Assembly do now adjourn.

Mr Speaker, I take this opportunity to offer my condolences to the family of William Samuel Bell who died on Friday 16 February at his Nightcliff home after fighting a 6-month battle against cancer. Bill Bell, as he was well known around Darwin, was born in Hampshire in England in 1926. He migrated to Australia in 1948 and worked in a pilot program for sorghum production at Peak Downs near Rockhampton. Unfortunately, that program proved unsuccessful. However, that was fortunate for the Northern Territory because, in 1950, he came to Darwin and settled at Nightcliff, which was then considered to be out in the bush.

One of his first jobs was working at the rice mill which was then at the 18-mile. Bill met the girl whom he was to marry when he was admitted to the old Darwin Hospital after suffering an electric shock while working for the Department of Civil Aviation. It appears that it was another case of the patient falling in love with the nurse. Bill and Margaret were married

in 1953 and, a year later, he built his garage, Nightcliff Motors, in Aralia Street.

That garage is still operating and it is pleasing to see that it has now been taken over by his 3 sons. That is 37 years of continuous operation by a small, local family business and by a man who has been a great credit to Darwin. Certainly, he has been a fine resident for the Nightcliff community for all those years. In contrast to the chaos which is often associated with garages, with tools and bits and pieces lying everywhere, Bill was fanatical about everything being clean and in its proper place. It is good to see that the garage, which has operated successfully in Nightcliff now for some 37 years, is still being run by his 3 sons, Peter, Richard and Robert.

Although Bill was a mechanic by trade, his real passions in life were shooting and collecting firearms and associated militaria. He and Margaret owned several blocks of land at Southport and he often toyed with the idea of building a pub there and calling it the Shooters Arms. The idea was that it would also be a place to display his collection of firearms. He envisaged changing the display about 3 times a year to maintain public interest.

Bill was a great supporter of community activities in Nightcliff. He helped build the community centre and the Nightcliff Scout Hall. As recently as Nightcliff's fortieth birthday celebrations in 1988, he was still active in the Nightcliff community. He led the parade on that occasion.

Bill's passion for collecting and restoring historical items extended to vehicles and the best known example of his work is the steam traction engine, the Margaret Rose, which was brought to the Territory in about 1910. The Margaret Rose was recovered by Bill and his old friend, Kurt Messinger, from Woolner Station in 1984. After 3 years work, they had the 80-year-old vehicle back on the road. Bill drove the Margaret Rose at the head of the grand opening parade at the Royal Darwin Show last July.

The Margaret Rose will continue to interest people as an exhibit at the Northern Territory museum as the traction engine was part of the Bill Bell collection recently acquired by the museum. The Territory owes Bill a considerable amount of gratitude for making this material, the result of a lifetime of work and dedication, available for public ownership. The collection includes, in addition to the Margaret Rose, a fully restored logging trailer, a Ferret Scout car and an arms and armour collection comprising 103 muskets and rifles, 128 revolvers and pistols, 91 swords and bayonets and other items of militaria. The collection has considerable educational value and is a wonderful acquisition for the museum.

Bill has been a long and valued member of the Northern Territory community. He has lived in Nightcliff almost since the declaration of the township there. He will be very sadly missed. He has been quiet in recent years, working with his friends. His dream was to develop a steam museum, because he, Kurt Messinger and other people were keenly involved in restoring old steam equipment. One of his dreams was that we could recover much of the old steam equipment that is lying around in the bush and have it restored and put on display as part of the future museum for the education and enjoyment of the community.

The Margaret Rose was his first and most significant contribution in that regard. It is of personal sadness to me that we were unable to

complete our discussions towards the achievement of his dream with Bill and his friends while Bill was still alive. Certainly, I will be continuing to work on what I believe is a very worthwhile project to collect and exhibit a very significant part of the Northern Territory's history. I trust that, when we complete that project, it will stand as a continuing memorial and testimony to this very fine man. Bill never did get around to building his pub at Southport but, hopefully, the eventual exhibition of his collection at the museum will achieve at least one of his cherished desires of sharing his collection with others. It will be a fitting memorial to one of Darwin's finest citizens. My condolences go to his wife and family. They can feel proud, as we all should feel proud, of having known such a fine man.

Mr VALE (Tourism): Mr Speaker, I would like to pay tribute to a long-term Centralian resident who died in Queensland on Friday 22 December last year. I refer to Ted Marron, a well-known central Australian who was 74 when he died. Mr Marron was born in Melbourne on 30 July 1916 and was educated at Xavier College. In 1936, he began his career as an office boy with a firm known as Brown & Dureau, an Australian import and export company. In 1940, Ted joined the Royal Australian Air Force and trained to be a pilot. He served in the Pacific region flying Beauforts. He was well known as a fine and daring pilot and, in fact, was awarded the Distinguished Flying Cross for bravery in action.

In 1946, he returned to civilian life and went to London to open an office for his old firm. In 1949, he was sent to Singapore to do the same thing. Early in the 1950s, he returned to Australia and, as a result of a lifetime friendship with Damien Miller, decided to visit central Australia. He fell in love with the country and its people and decided to settle there.

He spent some time at Argadargada Station with Damien Miller, Milton Willick and Sam Calder. In 1957, Milton took over his Milton Park lease and Ted purchased cows and calves from Mount Denison and agisted them on Milton Park, paying for the agistment by working with Milton. After a fall from a horse in the hills and a fractured neck, he decided to give up the bush and went to live in Alice Springs where he purchased Rice's Newsagency from Anne Long. This, of course, was the start of the famous Marron Newsagency. I understand that that was in the late 1950s. He used to talk about his experiences as a newsagent. However, that is another story which would make an interesting and humorous novel on its own.

During his life in Alice Springs, he was heavily involved in town development and many charitable organisations. He was a foundation director of 8HA Commercial Broadcasters. He was a member for what was then the Reserves Board, now the Conservation Commission, a member of Rotary, and a keen supporter of the RSL. In fact, this year, he was patron of the RSL. He was a most generous person who helped many people over a wide area of central Australia. For example, he generously supported Legacy and the Ghan Preservation Society for. Ted adopted the Ghan Preservation Society some 2 years ago. Together with Dan Conway, a former resident of central Australia who would come up from Perth, Ted would drive the locomotives around the yard.

Ted said to me one night that he was unable to contribute physically because of his age. He would have liked nothing better than to help with the parks and gardens or re-sleepering the line. He said: 'The cheque book can do my work'. I thought that we would receive a small donation. One afternoon, 2 years ago, he wrote out a cheque to the Ghan Preservation Society for $15 000. At that stage, he wanted it to be treated anonymously. However, now that he has passed away, I think that I should

make public the fact that he was a very generous man. However, he made one stipulation. The society was selling Australian National Railways tea towels because it did not have the funds to produce its own. He requested that some of his donation be used for tea towels which had the Ghan logo. I understand that the present committee of the Ghan Preservation Society has done that. I am also aware that, in respect of certain Legacy people in Alice Springs, Ted was very generous. If some of them had difficulties for various reasons, Ted was the first to realise that there was a financial problem, and quietly and generously helped those families.

I first met Ted Marron many years ago camped at Connors Well, about 60 miles up the track, with a fellow called Keith McEwan. They used to travel up for the Aileron races every year when that was a regular event. They used to stop off for refreshments and sometimes they would spend more than half an hour there. In fact, on a couple of occasions, they stopped there on a Friday evening on the way up and they were still there on the Monday morning when people were returning from the racetrack.

In the 1960s, Ted used to head out into the bush to help the then Country Party hand out how-to-vote cards at polling booths. He would head off to the south-east towards Finke and would not be seen or heard of for 3 or 4 days. Then, he would call up from Hamilton Downs or Mt Liebig. He had decided to put his swag and his tuckerbox on the back of his truck, distribute the how-to-vote cards and keep on driving.

He was a very warm fellow once you got to know him. He was a great Territorian and his death will be a great loss to central Australia. I pay tribute to all members of his family. Many of his friends in central Australia were gratified by the fact that, whilst he had no living relatives in central Australia, his 2 brothers decided that, because Ted had spent such a long time in central Australia, it would be fitting to bury him there. They did that on 29 December last year.

Mr TUXWORTH (Barkly): Mr Speaker, I rise tonight to speak in particular about the need for an inquiry into health in central Australia.

Mr HATTON: A point of order, Mr Speaker! Honourable members would be aware that that matter is the subject of a notice given to the House today. I refer honourable members to standing order 68.

Mr SPEAKER: The Minister for Health and Community Services is quite right. Standing Order 68 relates to anticipation of debate. The member for MacDonnell gave notice this morning that tomorrow he will move a motion regarding health services in central Australia.

Mr TUXWORTH: Mr Speaker, I accept your ruling. I will not proceed with the matter as I had identified it. However, I would like to say that I believe that what I proposed to put before the honourable minister is quite a positive and constructive proposition. If he is not interested, that is fine.

Mr Speaker, it has been confirmed to me today that the government is considering having power, water and electricity accounts delivered to consumers as a single account. I was also informed that the proposal embodies the possibility of consumers paying for their electricity, water and sewerage in a format that they may determine themselves. They might like to pay immediately, monthly, quarterly or whatever.

I would just like to put on record that I believe there is a very serious flaw in having a system where we present 1 account for the 3 services to consumers in the expectation that they will be able to pay at the time they receive the account. I do not think it is putting too fine a point on it to say consumers in the Territory are experiencing considerable difficulty in meeting their commitments, and one of the things they are able to do at the moment is stagger payments of their power, water and sewerage accounts, and make these payments over a period of time that enables them to get by. The very thought of collecting these amounts together at the same time would daunt many people and, I am sure, would cause some of them to think about whether they ought to live somewhere else.

What we really need is an environment where people feel that they are able to cope with the circumstances in which they live, and there is no doubt that, if we are to have a single billing system for power, water and sewerage, where 1 account covering the 3 services goes out once a month or each quarter or whatever, as Territorians, we will need a range of payment options that will enable people to cope. I put it to the government that, if it is contemplating billing for the 3 services under 1 account to reduce its overheads and administrative costs, it will need to take into account the need for people to have staggered payment arrangements because, undoubtedly, paying for the 3 services at one time will make it very difficult for some people to survive.

I would like to pay tribute to some of the achievements which have occurred at the Tennant Creek High School in the last 12 months. Last year, in Tennant Creek, we had the situation for the first time where students who had started their primary schooling in Tennant Creek actually completed Year 12 in Tennant Creek. That is a pretty good sign, because it is the first real indication of population stability that you can expect to find in a community. There is no doubt that, for a town like Tennant Creek to be able to boast that some of its children went to preschool there and then graduated through all their years of schooling to Year 12 and obtained a good pass that enabled them to enter university, is good news for the town. Some have gone to university in Darwin and some have gone to the University of New England. Wherever they have gone now, certainly they have been able to graduate and progress to their tertiary studies after undertaking their total schooling in Tennant Creek, and I think that is a commendable performance.

Some honourable members would remember that the construction of the high school in Tennant Creek between 1984 and 1986 was something that was not particularly encouraged. In fact, Mr Speaker ...

A member: Some people thought it was pork-barrelling.

Mr TUXWORTH: That is right. Some people did think it was pork-barrelling, but it must be accepted that the construction of the new high school has had a great deal to do with encouraging people to remain in the town and send their children on to high school. I would like to pay tribute to those families because they have broken the ice. They have established the precedent, and it will now become an accepted thing for children to complete their schooling in Tennant Creek if they wish to do so.

I would like to raise another point tonight in relation to the gas pipeline. The Minister for Mines and Energy has made a couple of statements in the media over the last 6 months about the possibility of the Territory supplying gas to Mt Isa. That is very important to us. If the Territory can do that, it will improve the economics of the Darwin to Alice Springs

pipeline and it will give us a great chance of better electricity prices as the days go on.

To my regret, an article in the Queensland Country Life of last Thursday or Friday seemed to indicate quite emphatically that Mt Isa would now be buying its gas from the Queensland deposits, running the pipeline past the Duchess phosphate operation and into Mt Isa, and that the proposals to buy gas from the Territory look like being set aside. I would be grateful if the minister could give us some indication during the course of these sittings as to how discussions on the sale of Territory gas to Mt Isa are going, and confirm whether we are really in the race or out of it. It is something that many people believe would be a positive move for the Territory and one that we ought to pursue with vigour if there is any chance of obtaining the contract for the Territory rather than having the gas supplied from the Queensland source. It is fair to say that, for Mt Isa to buy the gas from the Queensland field, the pipeline will be in the order of 800 km. The economics for the Territory to supply the gas would have to be in the ballpark. Possibly, the only reason that we may miss out is because the Queenslanders may decide that they want to consume their gas, which is their prerogative, even though it is not the most economic source of supply available to them.

The last item that I would like to touch on tonight relates to the development of the Aboriginal community in Tennant Creek and the training that is available to young Aborigines in the Tennant Creek area. If any ministers come to Tennant Creek and they have the time late at night to go for a walk down town, they will see that we have really 2 communities. We have a day community and a night community. The night community is not necessarily a troublesome one at all, it is simply a different set of people who are out doing things. They seem to go home and sleep all day. What is beginning to cause me concern is the number of young people, possibly between 14 and 26, who are out on the streets at night enjoying themselves and, in general, behaving themselves. Many of them play sports such as basketball and then move on to do other things. Most of them are Aboriginals and there is considerable potential there for employment if we can provide the training for them.

What concerns me is that, if we do not identify some training for them, these people will go through life as night people who live on government assistance of various kinds and never really find a constructive role for themselves in the community. If there was a half dozen or a dozen of them, I would not be so concerned. However, the numbers are really significant. It would be a very useful exercise if government, through its various agencies and particularly through TAFE, could start to identify special programs that could utilise the talents of these people who are not fulfilling their potential.

I would also commend to parliamentary colleagues that, if they would gain a perspective on the development of the Aboriginal community in Tennant Creek, they would find it rewarding to attend one of the dry discos that are organised for the Aboriginal community in particular. These attract hundreds of people and are generally pretty good shows. Quite often, considerable trouble is taken to secure live bands. These discos are well run and fulfil a very useful purpose in the community. Once again, this is an indication of the considerable human resources available in the town that are not being used in a very constructive fashion. There should be a great future for these people. In some ways, I do not think Tennant Creek is very different from many other towns. Some may have different opportunities and ways of managing their young people. Certainly, in Tennant Creek, there

needs to be some innovative thinking and cooperation by a large range of government agencies and organisations, both state and federal, because the time has come to acknowledge the situation and to do something about it.

In conclusion, I would like to place on record my disappointment that, so far, negligible funding has been made available to the Friends of the Telegraph Station and the Conservation Commission for the rehabilitation of the old Tennant Creek Telegraph Station. It is fair to say that people in Tennant Creek look around the Territory and see the millions of dollars that are being squandered on various projects. They note the funding that is made available for beautification and yet, when they seek some funding for restoration work on a very important project such as the old Telegraph Station, they are confronted by brick wall. I would like to point out to the minister that the matter will become a fairly lively one over the days ahead and, if he could find his way clear to release some money for the work that needs to be done there, that would be greatly appreciated. Of course, if the funds are tight, we will have to make plans as best we can.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, I rise to draw to honourable members' attention the passing of a very fine and brave man. Not only was he a fine and brave man, he was also unique, not only in the Northern Territory but in Australia. I refer to the late Mr Frank Scott Tassicker who was a resident of the rural area for some years. He lived in the Howard Springs area with his daughter and son-in-law, Mr and Mrs McManus.

Mr Tassicker was born in March 1895 and he joined the first AIF. He lied about his age and he joined when he was only 20. In those days, one could not join up legally until one was 21. I think he showed the spirit of his time as a young man. He was very patriotic in putting forward his age. He saw his responsibility to his country and he wanted to do his bit.
He enlisted in the Australian Imperial Forces on 18 May 1915, and was posted to the 7th Reinforcements of the 11th Battalion. He embarked for overseas on 9 June 1915. My information comes from the Central Army Records Office, Victoria. He transferred then to the 28th Battalion, but there is no date recorded for this. He embarked for Gallipoli on 4 September 1915 and landed the same day at the Dardenelles.

It was my pleasure to have met Mr Frank Tassicker on a number of occasions, especially at the Anzac Day services in the rural area where he was the guest of honour for a number of years. At the Dardenelles in 1915, the 28th Battalion provided reinforcements for the forces already fighting there. At Gallipoli, Mr Tassicker was wounded several times. He returned to Egypt on 10 January 1916. He disembarked in France on 21 March 1916 and, in 1917, he was appointed a lance corporal. He returned to Australia in April 1919 and he was discharged on 5 September 1919.

He married in 1922 and his wife, Polly, predeceased him. He had 4 children. This gentleman was awarded several medals. He was awarded the 1914-15 Star, the British War Medal, the Victory Medal and, more unique than any of these, the ANZAC Commemorative Medallion. It would have been lovely if he could have accompanied other veterans to the Commemorative Ceremonies to be held at Gallipoli this year. Unfortunately, his passing prevents that.

Not only did Mr Tassicker enlist in the 1st AIF in World War I, but he re-enlisted on 31 May 1940, this time with the 2nd AIF, and was posted to the 2nd 7th Field Ambulance Division as an ambulance carrier. He embarked for overseas from Fremantle on 20 September 1940 and disembarked in Palestine on 13 October 1940. He embarked for service in Greece on 27 March 1941. It was in Greece that he won the Military Medal for Bravery

after helping to evacuate the wounded. He was reported missing in action in Crete on 20 August 1941. He was reported as a prisoner of war in Germany on 11 November 1941. I understand that he served out his time as a prisoner of war in a camp near Munich - Stalag 7. He embarked for Barcelona in Spain from Germany when he was repatriated on 27 October 1943. He disembarked in Egypt in November 1943 and returned to Australia in January 1944.

Mr Tassicker was a man of his times. He was not unique in fighting in many different fields of battle in World War I and World War II. There were many others who did the same. However, he happens to have been a unique gentleman. By fighting for his country in 2 World Wars, he demonstrated a sense of patriotism which could well be emulated by the youth of today if ever the occasion demands it in the future.

Mr Tassicker was appointed a lance corporal in July 1943. He served in Western Australia until he was discharged in 1945 and he was awarded the Military Medal in March 1946. From World War II, Mr Tassicker was awarded the Military Medal, the 1939-45 Star, the Africa Star, the War Medal and the Australian Service Medal. Also, he received a Certificate of Service in Greece. He was a very brave gentleman and I personally regret his passing. My sympathy has been extended to his family.

In the time left to me in this debate, I would like to touch on another subject which is completely unrelated. I refer to a matter which I hope has been remedied. The deficiency should not have occurred in the first place. I refer to the deficiency in service in a certain section of the Power and Water Authority. We have had several severe storms in the rural area and other parts of the Top End recently. I can speak only for my constituents in the rural area on this, but no doubt this unhappy situation affected other people.

When the lightning strikes and you lose your power, you are in a dicey situation. You do not know how long the power will be off. You may not have a standby generator. You may have a fridge and freezer full of food for a large family. There are no lights and the fans have stopped. You want to know what is happening and, therefore, you consult the telephone book by the light of a torch and try to ring the emergency number for the Power and Water Authority. You try and try. The number is dead.

It is a very poor show on the part of the Power and Water Authority that its emergency number is not working. I have reason to believe that this is not the first time that this has happened. I made inquiries and publicly stated that this was not good enough. We are charged enough for electricity and water. The least the Power and Water Authority can do is provide a bit of service for the money it takes from the people in the community for its services. It must ensure that that emergency number is working. People need to know how long the power will be off so that they can make other arrangements if necessary.

Mr EDE (Stuart): Mr Speaker, in November last year, the opposition ran a series of issues past the Minister for Education relating to the handling of his portfolio. I do not intend to regurgitate those in 15 minutes, but let me say that, since that time, my office has been inundated with further complaints about the administration of his department. I would like to provide some examples. Several teachers in remote areas have not had their higher duties allowance and special education allowance paid into their salaries. They have been told by the department that it is aware of the problem but that it will not be rectified for a couple more pay periods. One teacher actually received her higher duties allowance, about $135 for a

fortnight, but no salary. That was all she received. I have been advised that, in one regional office, the jobs of salaries and recruitment are handled by the same officer. Those are 2 very large tasks and, obviously, are overstressing this staff member to the extent that he is unable to cope.

There have been delays in the approval by the department of auxiliary staff. The schools are entitled to the staff and the department has to do the paperwork and have the person placed on the payroll. This is taking up to 6 weeks. As a result, many people are employed for that time without receiving any pay. I would like to know why it takes 6 weeks. Yuendumu is one example where this is happening. I spoke to the Assembly about this at the same time last year and it is happening all over again. I would ask the minister to advise what he is doing to monitor this problem so that we do not have to raise this matter every year. Last year, assistant teachers in Arnhem Land were not being paid. This year, the same problem is occurring again. The department needs to get itself organised quickly at the beginning of the year.

I have been advised of 3 incidents where teachers recruited from interstate to work in Alice Springs have been told a couple of days before school started that they had to arrive for work. They have had to rush to the Northern Territory without any preparation. When they get here, there is no accommodation for them or their families. They end up having to go into hotels or motels. They have to try to find means of placing their pets. This causes considerable stress to the families and extra costs. In one example, the day after rushing to Alice Springs to start work, one teacher was immediately re-posted to Borroloola. Welcome to the Territory! Is it any wonder that we have problems relating to a high turnover of teachers.

I am told that the Housing Commission in Alice Springs has quite a substantial number of houses which have only a small amount of maintenance work to be done on them to bring them back into service. There is suspicion that the reason that these are unavailable is to prop up the private market. What is the situation? I am told continually of houses which require only the replacement of a couple of doorknobs or louvres. I cannot understand why the Department of Education cannot do a deal with the Housing Commission at the beginning of the year to have a few of these houses brought up to a standard where families could use them for a couple of weeks or months while permanent arrangements are being made for them. At least, they could then have their pets with them, and they would have their belongings in one place instead of scattered all over the Territory, as has happened in some instances.

In my electorate, Nyirripi school is so overcrowded that, to teach some children, the teachers have to use their private homes. The department has promised for months to move a temporary building from Mallapunyah Springs. In fact, we are now into the second year of this problem.

Mr Hatton: Did you fix up the location of the health centre at Mount Allan?

Mr EDE: It is there. I have written you a letter about that.

Mr Hatton: I have not received your letter yet.

Mr EDE: Wait until you get it. You will need to make representations to your colleague over there. We have half the money from the ADC sitting

in the community account. He has not signed the cheque for his half. Talk to him about that.

Mr Hatton: What are you talking about?

Mr EDE: Some 18 months ago, $50 000 was offered by the federal government to build additional classroom space at Nyirripi school. Much later, this government said: 'It is not enough money to do what we want to do. We will provide you with a temporary building from Mallapunyah'. That building still has not arrived.

If you go to the teacher's house - one of those silver bullets - you will find 5 children sitting on the bed and another couple in the corner. There will be another couple of children sitting at the kitchen table and a couple more on the floor. That is the way the upper primary school works at Nyirripi. It is absolutely hopeless. There is no way in the world that we can pretend that we are providing education at Nyirripi. We are not. The schoolroom itself is so absolutely overcrowded that it is impossible to have 2 teachers teaching in this one open room. It is an impossible situation. I do not know what impact that will have on the longer-term education of those children, but I am certain that it will not be good. That is the school where also there were no teachers at all for 6 weeks of last year because the department did not bother to respond to a call for relief teachers when those teachers at Nyirripi were sick. It is also the school that did not start on time this year because, once again, there were no teachers.

At Woola Downs, the lack of school facilities would be entirely irrelevant because the children there cannot get to school. There are now over 20 children at Woola Downs and the department has not provided them with a bus. It must be 6 months now since I raised this with the honourable minister. He told me that he and the Minister for Transport and Works would look at all the bus services and work out how they would solve this problem. Unless he can provide a bus, I will have to argue for the building of a school there because of the number of children in that area. However, that would mean that the facility at Ti Tree would be under-utilised.

At the other end of the scale, in that same area, the department does provide a bus for the school to Anningie. However, so far this year, it has broken down twice causing disruption to school classes for children. The police had to go out to see if everything was okay. I have written before about the poor standard of that bus service and the incredibly bad way it is run. It is about time we looked seriously at whether those people will run the contract properly or whether it should be taken off them and given to a local group.

These problems are not limited to rural schools. For years, Casuarina Secondary College has had more students attend than the department's demographers ever anticipated. This year, there will be an additional 200 students, and the department has steadfastly refused to supply teachers on the basis of actual enrolments and attendance. I am pleased to report to the House that, finally, agreement has been reached on the supply of a further 6 teachers, especially in specialist areas such as maths and business studies. However, I ask the minister why it has taken so long. Why is it that, every year, we have the same problems in the same department? When the next year comes round, it always appears that the promised solutions have never come to fruition.

I would like to move quickly to some of the matters raised in the Operational Management Review report on BTEC that was carried out last year. The point of the exercise was not to investigate the rorts and the allegations that have been made by a number of people, myself included, about individuals involved in the industry and the eradication of brucellosis and tuberculosis, but to examine the operational management of the plan. The report reveals an incredible situation in terms of the effects on the Northern Territory's cattle and buffalo industries. The review estimates that, between now and the completion of the scheme in the Northern Territory, the de-stocking required to achieve impending-free status will be 150 000 head between now and 1992. That means that 10% of the controlled herd of the Northern Territory will be de-stocked between now and 1992. In addition, uncontrolled stock in infected areas will have to be de-stocked also. We do not know the numbers involved there.

Imagine the effect of the de-stocking of 150 000 beasts. The report states that the economic effect of forced de-stocking seems likely to impact more on owner-operated enterprises. That is exactly what I have been saying all along. The large international or interstate concerns will have a much better chance of surviving this than will the Northern Territory's own pastoralists, who are really copping it in the neck. The report also points out that, as compensation is paid at market values, the properties suffer serious production losses. There is a considerable lag between the replacement of the de-stocked animals and when they are able to be placed on the market. This causes tremendous cash flow difficulties for those properties. The report raises the same problems that I have been saying will occur with respect to abattoirs. The stock numbers that will be put through the abattoirs over the next few years will put tremendous pressure on them. After that period, however, there will be very few cattle and we may lose a substantial part of our abattoir industry in the Northern Territory.

In relation to who will be affected most, the report clearly states: 'Darwin and Gulf areas and parts of the Victoria River district in the Northern Territory, parts of the West Kimberleys and the Peninsula Gulf area of Queensland are the areas that have been identified of landholders which will be still disadvantaged more than their counterparts in other regions by the impact of heavy de-stocking in order to meet the 1992 target date'. It is a very difficult situation for people in the top end of Australia. Members can see a copy of the report in the Department of Primary Industry and Fisheries. It contains a table indicating the predicted dollar effect on the regional economies of the Top End as a result of the 1992 target date. It is predicted that $60m will be the total regional loss over the 3 years. That figure may be small beer to the people of Darwin but, for rural areas of the top end outside of Darwin, $60m will mean the difference between survival and catastrophe.

This is a serious problem and it led the national committee to recommend that the date for impending-free status in the Northern Territory be moved back from the middle of 1992 to the end of 1992. This would bring the cut-off date in the Top End into the next wet season, thereby providing 1 more cattle season. Instead of our having only the 1990 and 1991 cattle seasons to complete de-stocking in an orderly manner, there will be time to test and, where necessary, to slaughter more herds and clean up in that way, thereby minimising the forced de-stocking and minimising the damage to the abattoir industry. Certainly, that has not gone as far as I would have liked to address the problems of BTEC, but it has the potential to save quite a number of people in the industry.

However, there is one requirement on this: that the extra 1992 season, which has been granted to the northern pastoralists by the national committee, be passed on by this government to the pastoralists. This means that the minister must reorganise the shoot-outs and de-stocking so that it is spread over the 3-year period and not over the 2-year period. Regrettably, I must say that I have seen no indication that that is occurring. The government is continuing with the same shoot-out program, the same de-stocking program, that it had before the extension of time was granted. In effect, the government is taking the extra cattle season, which was provided as an assistance to the pastoralists and the buffalo industry of the Northern Territory, and is saying that it will use the additional time as a buffer against problems that it may experience towards the end of the program. Mr Speaker, it is a disgrace.

Mr SPEAKER: Order! The honourable member's time has expired.

Mr BAILEY (Wanguri): Mr Speaker, I rise to speak tonight on an issue that has been raised previously, and I would like to speak to this issue from a couple of angles. I want to talk about a group called the Deafness Association of the Northern Territory and its long-term fight to have an ENT specialist employed within the Royal Darwin Hospital. I accept that the present Minister for Health and Community Services was not the minister at the time when this issue began 12 months ago. However, unless he can provide some updated information, it appears that we are no closer to filling that position in the foreseeable future than we were 12 months ago.

Firstly, I would like to give credit to the Deafness Association for the thoroughness of the ongoing effort it has made in relation to this matter. In particular, I would like to acknowledge the work done by the President, Mary Salter, and the level of correspondence she has maintained for over 12 months in an endeavour to have a suitable specialist employed at the Royal Darwin Hospital to cater for a major health problem within the Northern Territory. Some of the factors that she and the association appear to be battling against are indicated in her letter to the minister of 12 February. This letter was written after Mrs Salter had been trying for many months to find out what the department was doing ...

Mr Hatton: I wrote to her.

Mr BAILEY: ... in relation to this issue. It says that a letter from the department, dated 23 October last year, intimated that there was no onus to provide the association with details of the search for a replacement. These people have made continued efforts to have a suitable ENT specialist employed at the Royal Darwin Hospital and, on a number of occasions, have asked what action is being taken. Eventually, the department responded that the association has no right to know what efforts are being made to remedy the situation.

I acknowledge the letter from the minister indicating that a person who is being trained at the moment may be employed in 1991. It does not appear that the problem that is of great concern to the Deafness Association, as demonstrated by the continuing efforts of its president, is any closer to resolution. I believe that the honourable minister must pursue the matter with much more vigour than has been the case so far if we are to achieve a resolution of the problem in the near future.

Mr HATTON (Health and Community Services): Mr Speaker, I rise in response to the member for Wanguri. I know of his special interest in this particular matter. He received a petition that was being circulated by the

Deafness Association during the Royal Darwin Hospital Open Day. If he checks that petition, he will find that my signature is on it, supporting the call.

Mr Bailey: Yes, I know.

Mr HATTON: I must advise the honourable member that I have written to every signatory on the petition twice in order to advise of the updated position. If my memory serves me correctly, I wrote also to the Deafness Association advising of the current situation.

However, for the benefit of honourable members, I am advised that, as of this month, Dr Rao will return to work at the hospital for a time. This situation first arose when Dr Rao, the ENT specialist at Royal Darwin Hospital for many years, retired in October last year. In spite of extensive efforts to recruit a replacement, no suitable applicant has been found, and that is principally because there is a national shortage of otolaryngolists. A locum, who spent 2 weeks in Darwin at Christmas time, and has final examinations in May after training to be an ENT specialist in Melbourne, was interviewed and offered the job, subject to satisfactory specialist status. He is interested in the position in Darwin, but wishes also to investigate and compare other options. He will make a decision regarding the position after he has completed the examinations in May. I think that is the person to whom the honourable member was referring.

Since December, a registrar has been conducting daily clinics at the Royal Darwin Hospital. I can advise that Dr Rao is now back in Darwin and has agreed to return to work for us until we find a specialist. He recommenced work at the Royal Darwin Hospital on 13 February. We are continuing the search for a suitable person and we continue to pursue every avenue. However, in the intervening period, the ENT facility has been conducted by visiting specialists or by the registrar. Currently, Dr Rao is conducting the clinic on an interim basis. Thus, ENT specialist services are available in Darwin as a consequence of the actions that we have taken.

Motion agreed to; the Assembly adjourned.

Mr Speaker Dondas took the Chair at 10 am.

TABLED PAPER

Mr PERRON (Chief Minister): Mr Speaker, in answering a question earlier this morning, I tabled one letter but overlooked another. I now table the second letter.

TABLED PAPER
Publications Committee - Thirteenth Report

Mr SETTER (Jingili): Mr Speaker, I table the thirteenth report of the Publications Committee, and move that the report be adopted.

Motion agreed to.

MOTION
NT News Editorial

Mr BELL (MacDonnell): Mr Speaker, politicians rely on publicity. We live for publicity. Publicity is our lives. We live and die by what appears in the newspapers and what appears in the evening bulletins. In fact, that is one of the reasons why precisely this time of the day so clearly focuses competition between the government and the opposition. There are the noon deadlines for newspapers and the 2 pm deadlines for the evening television broadcasts. This focus on the media has been one of the features of politics in the 1970s and 1980s and the Northern Territory is in no way immune from it.

Sometimes I feel that, instead of offering obeisance to the Chair as we do, perhaps we should turn around and offer obeisance to the Press Gallery because, although we may not do that physically, many of our actions in this Assembly are designed to do exactly that. The relationship between politicians and the press, parliamentarians and the media, is a symbiotic one in exactly the same way as ...

Mr PERRON: A point of order, Mr Speaker! I understood that General Business was called on and that the Assembly must have a motion before it before debate can ensue.

Mr BELL: Mr Speaker, I do apologise.

I move that this Assembly express deep concern that the major print news source in the Northern Territory, the Northern Territory News, by its editorial of Monday 18 September 1989, has been highly critical of the Supreme Court Bench and, by so doing, has tended to bring that court into contempt.

As I was saying, Mr Speaker, the relationship between parliamentarians and the press is a symbiotic one. In the same way as fleas live on a dog's back, one lives off the other. I will not pretend for a moment to extend the metaphor by making suggestions about who the dogs are and who the fleas are because that would be courting absolute disaster. It has been suggested by some that, in moving this motion, I am courting disaster anyway. I will not invite further concern in that regard. In that context, however, I am reminded of Rupert Murdoch's father, Keith Murdoch, as owner and editor of the Melbourne Herald. One of his cub reporters, who subsequently became a well-respected journalist in Melbourne, was always bemused by the sight of the Prime Minister of the day taking his hat off in Keith Murdoch's office

and calling the editor of the Melbourne Herald 'sir': 'Yes, sir, we will do so and so'.

I think I have made the point that it is with some trepidation that I move a motion of this sort, criticising a journal such as the NT News which has such an important effect on public opinion. However, I felt that, given the particular editorial which is the subject of this motion, I had no choice. I turn now to that editorial. The specific cause of concern to me is a comment which I strongly believe to be inappropriate comment about the Supreme Court Bench. I refer to this comment alone: 'The evidence says that many judges live on cloud nine'. I will go on later to explain the context of that statement, but I simply ask honourable members and, in particular, the honourable Attorney-General to contemplate that comment.

In addition to our relationship with the media, we play an important role as the parliament of the Northern Territory. In the context of the Fitzgerald Commission, there has been considerable concern about the failure of a particular parliament and a particular former Premier in relation to an understanding of the separation of powers between the parliament, the executive and the judiciary. My chief reason for moving this motion in these terms is because I believe that the parliament has to assert itself in its defence of the judiciary. We will be demeaning the laws which are passed in this Assembly if we do not agree to this motion. We rely on the judiciary to make rulings about the laws which are passed in this Assembly. If we do not defend the judges, who cannot defend themselves publicly against attacks like that, we are failing. For those reasons, it is incumbent on the Assembly to pass this motion.

There is another reason why we must pass this motion. It is not simply because the judges of the Supreme Court cannot defend themselves publicly. It is not simply a question of the good old Aussie fair go. The attitude that the public has to the courts is the central issue here. The parliament of the Northern Territory must be seen to be making a strong defence of the judiciary in this regard.

The sentence in question comes very close to contempt. It has been described as a contemptuous statement. I will read it again: 'The evidence says that many judges live on cloud nine'. When that is described as a 'contemptuous statement', we are using 'contemptuous' in a particular sense which can be described as restricted and technical. Popularly, 'contemptuous' means to hold in poor light. A contemptuous statement is one which says something is not worth very much. In the context of this debate, the word 'contemptuous' has a more restricted meaning. It means that one is encouraging other people. In particular, this statement is encouraging other people to have less regard. We are not suggesting that the statement is contemptuous of the judges themselves in the popular sense, although perhaps that construction could be put on it. In the more restricted sense, however, there can be no doubt that it is doing absolutely nothing to corroborate respect for the judiciary in the Territory community.

I have made my position quite clear with respect to that particular statement. I suppose it needs to be fleshed out in the general context. The overall tone of that editorial is extraordinarily contemptuous of the legal profession as a whole. That is unfortunate and it is worth considering what inspired it. Before doing so, however, I seek leave to table the editorial.

Leave granted.

Mr BELL: Mr Speaker, the editorial was in response to a public debate and, as I said earlier, I did not happen to be in the Northern Territory at the time the debate was conducted. At that time, I was with the Deputy Clerk in Kiribati. When I returned, I was most concerned to read of these issues. The starting point was the reported comments by the Territory Commissioner of Police in respect of police powers. Police powers have been a subject of considerable public debate over the last couple of years, particularly in the Northern Territory. I seek leave to table that article from the Sunday Territorian of 17 September.

Leave granted.

Mr BELL: Mr Speaker, the claim made by the Commissioner of Police in that article is that criminals were able to escape prosecution because of legalities and technicalities in the courts. A couple of references in the article need to be drawn to the attention of the Assembly. The commissioner said that he believes our legal system is weighted too much in favour of the accused at the expense of their victims. He said that people are beating charges because courts are often more concerned with 'technicalities and legalities' than the truth and that 'all too often people are walking away for the wrong reasons'.

That is very strong stuff, Mr Speaker. The example which the Commissioner of Police referred to was the Anne-Marie Culleton murder and the subsequent conviction of Jonathon Peter Bakewell for that murder. What the Commissioner of Police said was, in one sense, fair public comment. However, I did take exception to the subsequent comment in the editorial. Whilst, as I have indicated, in one sense I have no complaint about the commissioner's public comment, I would like the Chief Minister, as Minister for Police, to tell me why it is only the Commissioner of Police who is canvassing these public policy issues and not the minister himself?

Mr Perron: Because he was asked.

Mr BELL: The Chief Minister says that the commissioner was asked. Was he asked by the Chief Minister to canvass those issues publicly? I would be interested to know that. I point out that the police force is a statutory authority and that there is a bit of a grey area in relation to heads of statutory authorities making public statements.

Mr Perron: What about the Tourist Commissioner?

Mr BELL: Public statements made by the head of the Tourist Commission are rarely politically contentious. The issue does not arise. The reams of public debate about this matter are interesting, but I simply place on record my concern about the Commissioner of Police alone making these pronouncements.

Mr Perron: Are you suggesting that I should gag him?

Mr BELL: The Chief Minister interjects and says that I am suggesting that he should gag the Commissioner of Police. What I am suggesting to the Chief Minister is that, if public policy pronouncements involving police investigation have to be made, they would more properly be made by the Minister for Police. If we are prepared to allow the situation where the commissioner leads a public debate like this, and ...

Mr Perron: What do you mean, he leads a debate?

Mr BELL: ... the elected government of the day effectively ignores it, and the Minister for Police ...

Mr Perron: What do you mean 'ignores' it? You do not even know what is happening.

Mr BELL: Let me point out, Mr Speaker, that the Minister for Police has not made even one public comment on this particular issue.

Mr Perron: I am a man of few words and lots of action!

Mr BELL: I return to the question of the need to support the judiciary. The government's response to the newspaper article containing the commissioner's comments was headlined, 'Attorney-General backs Palmer', and the Attorney-General's stance was equivocal to say the least. It was a case of having 2 bob each way. On the one hand, he was backing the Commissioner of Police and, on the other hand, in small print and in the fifth last paragraph, the Attorney-General was quoted as saying: 'The Territory is well served by its judiciary, possibly better than anywhere else in Australia'.

Mr Speaker, I am not satisfied that that sort of response was necessary. The Solicitor-General responded strongly by means of a letter to the editor responding to the concerns expressed in the editorial. The NT Bar Association also provided a lengthy response but I think it can fairly be said that the Attorney-General's response was equivocal and that he was basically seeking to have 2 bob each way.

To turn to the case in point,I remind honourable members of the specific murder case involved. It was particularly horrific. It was a matter of deep concern that such a horrific crime should occur in Darwin. Reading some of the transcript of the case, I felt that the person convicted was somewhat less than human. I have very strong antipathy on the basis of those reports but, strong antipathy or not, he was entitled to a fair trial. The point is that we are forsaking balance for popular sentiment, and we must resist that temptation.

This parliament has an important role to play. Let us just look at the specific charges made in respect of the murder which Bakewell was found guilty of committing. This front-page Sunday Territorian article implied that Bakewell got off scot-free for the murder of Anne-Marie Culleton in Fannie Bay. That, of course, is not the case. The Commissioner of Police was quoted as saying that 'all too often people are walking away for the wrong reasons'. The article states that the commissioner said that 'a man found guilty earlier this year of a brutal sex slaying almost beat the charges on technical grounds'. Adducing that as an example does not support the general contention.

Let us look at the reasons which led to some of the evidence in that trial being ruled out. I have taken the trouble to obtain a transcript in order to acquaint myself with those reasons and, if I can briefly explain to honourable members the background to that front-page article, I think they will find it instructive. The murder occurred on the evening of Monday 22 February. Bakewell was subsequently arrested in Alice Springs at about 12.30 pm on the following Friday, which was 26 February. This is a technical point but, at that stage, he was not arrested. At that stage, he was not deemed to be in custody. The police officers who stopped him said: 'Are you happy to answer some questions about this? We understand that you were living in the flat next door'. Bakewell had breached parole in South

Australia and that was the subject of telephone calls that afternoon. Bakewell's defence alleged that he was in custody from 2.30 pm that afternoon. The Crown alleged that he was in custody from the time he was formally charged at 3.30 pm the following morning. The court found that he was in custody from 5.30 pm that afternoon, and a fair bit hangs by that. Let us look at the principles involved before I return to the timetable.

As honourable members who paid attention to the investigatory detention debate last year will know, a crucial issue for the acceptability of evidence is that it be voluntarily given. If an accused is in police custody in excess of a certain length of time, without being brought before a justice, a question arises about the voluntariness of any evidence involved. Let us return to Bakewell on the Friday. He was pulled in at about 12.30 pm and, at that stage, the police were in considerable doubt as to whether he was the prime suspect. They rang Darwin - and here the tyranny of distance in the Territory played its part - and officers flew down that afternoon. Bakewell was telling the police in Alice Springs that he hitch-hiked to Katherine on the Monday and caught a bus to Alice Springs from Katherine on Tuesday. The police arrive from Darwin, and say that he could not have left Darwin on Monday. They had spoken to a woman at a caravan park in Berrimah and a Salvation Army chaplain, both of whom had seen him in Darwin on Tuesday.

It was at that point that Bakewell became the prime suspect, and it was at that point, at approximately 4 pm or 5 pm, that Bakewell started to give evidence. He gave comprehensive evidence, in the Alice Springs Police Station, from 5 pm that afternoon until 3.30 am the following morning, the Saturday. The following day, he was flown up Darwin. He re-enacted the scene later that day, and he was subsequently brought before a justice.

On 10 May, after the case, in delivering his reasons for making the ruling in respect of the acceptability of that evidence, Justice Kearney basically found that the evidence that had been given in Alice Springs was acceptable. He accepted that it would not have been possible, between 5 pm on the Friday and 3.30 am on the Saturday morning, to bring Bakewell before a justice. However, he said that it would have been possible to do it on the Saturday morning before flying him up to Darwin in the middle of the Saturday. That is an administrative problem. It seems to me that, under those circumstances, it should be possible for advice in that respect to be easily available to police officers.

Bakewell went on to make extraordinary allegations which were not accepted by the court. Those allegations related to police conduct. He claimed to have been punched by police and offered cans of beer but his allegations were ruled out by the court. The notion that the judiciary does not give a fair go to victims of crime, as suggested in this unfortunate publicity, is a complete untruth.

Mr Speaker, I will not table this opinion. Unfortunately, a couple of pages are missing from the version which I have. I am quite happy to make it available to honourable members who are interested in any additional details relating to the subsequent re-enactment. A couple of other issues are also involved, such as the replaying of the video re-enactment to the accused.

Honourable members will be well aware of the role of the fourth estate, but they may or may not be aware of the first 3 estates. I particularly thank the Table staff for their assistance in researching this matter. The 3 estates are the clergy, the barons and knights, and the Commons. The

final arrangements came to be the lords spiritual, the lords temporal and the commons. A frequently misused corruption of this idea of the 3 estates of the realm has been the Crown, the House of Lords and the House of Commons. In that context, the great 19th century historian Carlisle, allegedly quoting Burke, said that there were 3 estates in parliament but 'in the reporters' gallery yonder, there sits a fourth estate more important than them all'.

As I have said, it is with some trepidation that I move this motion. I believe, however, that the parliament has a responsibility to accept it. It is not simply a case of expressing some reservations about the media. We have to be strong in this regard. We have to say that comment about court procedures has to be fair and above board. I do not believe that the broad-brush smear of the Supreme Court contained in that particular editorial can be tolerated by this parliament.

Mr MANZIE (Attorney-General): Mr Speaker, it is very hard to know where to start. The member for MacDonnell has gone round and round in circles. He has covered the editorial, the article containing Mick Palmer's comments, and the Bakewell case. None of his contributions seemed to fit together but I will try to bring some semblance of order to the issues.

Firstly, I will say that the NT News editorial was not accurate. It actually brought the courts and the judges into some disrepute. A most unfortunate impression was created by the sentence which stated: 'The evidence says that many judges live on cloud nine'. However, it is important that we remember that the courts are not made up of mealy-mouthed people and that the courts themselves have a very strong power to cite people for contempt. In fact, there are still arguments about whether the courts' power in that respect overrides the power of the parliament. The courts have the ability to bring people before them. They have the ability to bring newspaper editors before them and to cite them for contempt. That power is very strong and there is still dispute about how far it goes.

Mr Speaker, I would just like to quote from the text of the second issue of 'Contempt of Court' by C.J. Miller under the heading, 'The Legality of Reasoned Criticism':

> By way of contrast, it has long been clear that reasoned criticism of a judgment in a particular case, or of the administration of justice generally, is quite permissible. Indeed a legal system could hardly hope to develop satisfactorily if it were not. Several well-known statements may be cited establishing the legality of such criticism of which the most important is to be found in Lord Atkins's opinion in the Privy Council in Ambard v Attorney-General for Trinidad and Tobago. In this case, an article had been published in the Port of Spain Gazette criticising the apparent inequality of sentences imposed in 2 cases of attempted murder which had recently been before local colonial courts. The article was written in sober terms and it called for greater equalisation of the punishment with the crime committed. An unduly sensitive Supreme Court of Trinidad and Tobago held that such criticism constituted a contempt, but a different view was taken by the Privy Council on appeal. In an important and frequently cited statement affirming the legality of reasoned criticism Lord Atkin said:
>
> > But whether the authority and position of an individual judge, or the due administration of justice, is concerned,

> no wrong is committed by any member of the public who exercises the ordinary right of criticising in good faith, in private or public the public act done in the seat of justice. The path of criticism is a public way: the wrong-headed are permitted to err therein: provided that members of the public abstain from imputing improper motives to those taking part in the administration of justice, and are genuinely exercising the right of criticism, and not acting in malice or attempting to impair the administrative justice, they are immune. Justice is not a cloistered virtue: she must be allowed to suffer the scrutiny and the respectful, even though outspoken, comments of ordinary men.

Substantially the same point was made by the Court of Appeal in Metropolitan Commissioner of Police, ex parte Blackburn (No 2). The proceedings in this case arose from an article in the magazine Punch in which Mr Quintin Hogg had stated that the Gaming Act had been rendered 'virtually unworkable by the unrealistic, contradictory and, in the leading case, erroneous decisions of the courts, including the Court of Appeal'. The article went on to suggest that the courts had seen fit to blame everyone but themselves for the resultant chaos, and would have done better to remember the golden rule for judges that silence was always an option. This mild criticism promoted Mr Raymond Blackburn, a private citizen who had earlier sought to enforce the gaming legislation, to institute contempt proceedings. Not surprisingly, his application failed, but the case is of interest in that the Court of Appeal went out of its way to emphasise the importance of preserving the right to comment upon all matters of public interest, including the administration of justice. As Lord Denning M.R. put it:

> We do not fear criticism, nor do we resent it. For there is something far more important at stake. It is no less than freedom of speech itself. It is the right of every man, in parliament or out of it, in the press or over the broadcast, to make fair comment, even outspoken comment, on matters of public interest. Those who comment can deal faithfully with all that is done in a court of justice. They can say that we are mistaken and our decisions erroneous, whether they are subject to appeal or not. All we would ask is that those who criticise us will remember that, from the nature of our office, we cannot reply to their criticisms. We cannot enter into the public controversy, still less into political controversy. We must rely on our conduct itself to be its own vindication.

The member for MacDonnell made the point that judges cannot defend themselves publicly. He also made it very clear that some steps were taken in defence of the judiciary. I would draw the honourable member's attention to the fact that the answers to the problems which he has raised are very complex. The problem as perceived by him and many other people is that the press is creating a public impression that the courts are inept or are not operating properly. How can that situation be changed? Does the honourable member suggest that the press should be muzzled so that journalists are not allowed to make comments, or that someone should sit in judgment on those comments prior to their being published? How do we assess whether comments are fair or not? Who should assess them? Should the honourable member make that assessment? Does the parliament assess an editorial before it is printed? It cannot happen.

What has to happen is that people like ourselves - people like the member for MacDonnell and other public figures who can speak out - make public comment. In this particular case, I wrote a letter to the editor of the NT News on 19 September. I will table the letter and I will read it out. I believe that the editorial was published on a Tuesday and I believe that, for some reason or other, my letter was not printed until the Friday. I found that a bit unfortunate. The letter reads:

Dear Sir,

I wish to correct some of the assumptions contained in the editorial 'Justice in the Balance'.

Firstly, I reject totally your attack on the Territory's judiciary.

The honourable member called that having 2 bob each way.

Your assertion that 'the evidence says that many judges live on cloud nine' is completely unjustified. So too is the following sentence which claims 'they often give the impression they cannot differentiate between justice and legal jargon'.

The Territory is well served by its judiciary - possibly better than anywhere else in Australia. As Attorney-General, I have complete confidence in the competence and integrity of every member of the Supreme Court Bench.

The fact is that our judges carry out an extremely difficult job under often very stressful circumstances. Your claim that many of them are 'on cloud nine' ignores the reality that, in the course of their work, they see more of human tragedy and social evils than most of us would have the misfortune to experience if we lived many times over. Rather than being on 'cloud nine', they are face to face with brutal reality.

Secondly, your editorial ignores the fact that the 'technicality' which caused the difficulty in the Bakewell case has since been rectified by the Territory government.

No doubt your readers would remember the controversial Police Administration Act amendments - the so-called police detention powers - which were passed last year. At the time, there was a huge outcry that the government was infringing civil liberties. The Labor Party, the NT Nationals and a variety of other groups all claimed the changes were not necessary, that they were 'draconian' and that they would discriminate against Aboriginal people.

In fact, the legislation was designed to exactly what the police could not do in the Bakewell case. That is, to continue investigations, including re-enactments and questioning, beyond the earliest possible time when an alleged offender may have been taken before a magistrate.

Bakewell was arrested in Alice Springs. He was interviewed there before being brought back to Darwin. In Darwin, other evidence was compiled with Bakewell's cooperation, including a videotaped re-enactment of the crime. When these investigations were completed, he was taken before a magistrate. However, because this occurred before the new legislation had commenced, the judge had no

option but to rule that Bakewell was held for too long before going before a magistrate and that the evidence gathered after he left Alice Springs was not admissible.

Now the new legislation is in place, this situation cannot be repeated provided police continue to act reasonably in such circumstances. But, if Bakewell had escaped the murder charge, no doubt those who opposed the new legislation would have been the first to attack the government!

I must point out that this information was given to the journalist who wrote the story on which your editorial was based. I can only assume he was not consulted before the editorial was written.

Thirdly, if there are problems with 'technicalities' with the law and its administration, it is the responsibility of governments to fix them, not judges or lawyers. That process is already well under way in the Territory.

In February, I announced that there would be a major review of the criminal justice system. This review has already produced a range of new developments in the Territory's legal arena. These include innovative anti-drugs legislation which is designed to crack down on people who push drugs to minors, changes to legislation to increase support for victims of crime and moves to regulate the escort agency industry. Next on my list is sentencing, including the introduction of 'truth in sentencing'. Various other issues are also under consideration.

Mr Speaker, I table a copy of that letter. That letter went to the editor the day after the editorial was published and subsequently it was printed. There was a letter written on the same day by the Solicitor-General, which defended the position of judges and the processes of the court. I will not read that out, but I will table it.

It is clear that a vigorous defence was mounted in respect of the incorrect comments in the editorial. However, neither myself nor the Solicitor-General made any attempt to assert that the media should be unable to comment on the courts because, as I pointed out, it is proper that such comments be made in a democracy such as ours. I believe that we have to defend the right of people to make such comments and, if such comments are erroneous, we have a duty to put the other side of the argument. As I said earlier, if the comments are contemptible, the courts have vast powers with which to execute action against those making them.

Mr Speaker, the member for MacDonnell went on to talk about the role of the Commissioner of Police. First of all, he did not like the comments of the commissioner but, more importantly, he was most incensed that the Commissioner of Police was permitted to comment publicly. He actually said that the commissioner was the head of a statutory authority and that public comment by heads of statutory authorities was a very grey area. I would think that the member for MacDonnell would realise that the Northern Territory Police Force is not just a statutory authority. The force comprises a group of people who are controlled by legislation and the Commissioner of Police must have the ability to make public comment.

Mr Bell: That is what a statutory authority is, Daryl.

Mr MANZIE: Fancy suggesting that the minister should muzzle the Commissioner of Police in some way, because that is what you were saying. I believe that, under no circumstances, should the Commissioner of Police be muzzled by a politician. That might be the Labor Party's way and it might be the way it does things in other parts of Australia but, if it occurs here, it will place a restriction on the ability of the police force to act independently under the constrictions of legislation.

Mr Bell: Tell that to Ray Whitrod.

Mr MANZIE: Very good, tell that to Ray Whitrod! What concerns me is that you are suggesting that we should operate in the same way as they operated in Queensland, and we will not have a bar of it. If that is the way that you think it should be done, that is fine. I think it is the wrong way. The Fitzgerald Inquiry pointed out that it was the wrong way.

I would ask the member for MacDonnell, if he ever has the opportunity to exercise any influence at all on any policy regarding the police force, to take no steps to remove the independence of the police force from the executive. The police must have the ability to operate within the confines of legislation that we pass in this House and, when politicians start telling policemen what to say or do, the whole community loses. Queensland has been a perfect example of that. I am sure that the member for MacDonnell realises that he may have gone a bit too far in that regard. If he reconsiders the matter, he might come to believe that the Commissioner of Police should be able to comment publicly without being restricted by politicians. If he does not believe that is the case, he can ...

Mr Bell: Well, he has to expect to be treated as a politician as well.

Mr MANZIE: That is very true, and there are no problems. If he enters the public arena to comment, he must expect criticism for that comment.

Mr Perron: And he received considerable criticism.

Mr MANZIE: He did indeed. I recall discussing on radio, first of all, the right of the Commissioner of Police to make public comment. I think that the concept of restricting the commissioner's right to make public comment is dangerous. The same would apply to the head of a fire service or similar statutory body.

I was then accused by the member for MacDonnell of having it both ways - of backing the commissioner and then, in the small print of a newspaper article, backing the judges. I can assure the member for MacDonnell that I have absolutely no power whatsoever over the headline writers of newspapers or what goes into small print and what goes into large print. To suggest that I have such power is to invest me with abilities that I do not have. Sometimes, I wish I had the ability to influence the media in that way, Mr Speaker, but I can assure you that I do not. I made it very clear, as I did in my letter to the editor, that I have the utmost respect for our judiciary. I will certainly defend its role because I believe that the community in the Territory is very lucky in terms of the quality of its judiciary. You do not have to go very far across our borders to see what I mean.

At the same time, I certainly have no problems with the freedom of the commissioner to comment. What the commissioner said was very pertinent. He was saying that we must have mechanisms which allow the courts to get to the truth. If the truth is excluded in a technical sense, there is something

wrong with our system, and I think every fair-minded person would agree with that. We must ensure that a defendant has a fair trial. That is paramount in our system of justice, but that fairness must be coupled with the ability for the truth to be available and for all the relevant evidence to be available.

I will conclude with the Bakewell matter, which was also raised by the member for MacDonnell. That case brought home very clearly to the community the problems involved with restrictions on the admissibility of evidence. The offender was arrested and questioned. The arrest occurred on a Friday and he was brought to Darwin on the Saturday. Legally, at that stage, he should have been brought before a court at the earliest practical convenience, which was the Saturday morning. The judge, quite rightly, held that he had not been brought before the court at that time. That had implications for the evidence obtained after that. It was voluntary evidence. It was not involuntary. I was rather concerned when the member for MacDonnell said that the fact that Bakewell was not brought before a court cast doubt upon the voluntariness of his evidence. In fact, it does no such thing.

Mr Bell: That is what the court found!

Mr MANZIE: The time provision is a separate matter to the voluntariness of the evidence. It was quite clear that the re-enactment by the offender was totally voluntary. The fact is that the evidence was excluded because he was not brought before the first available court.

Mr Bell: That is not true, Daryl. Read it.

Mr MANZIE: Mr Speaker, that was the essence of the matter. If Bakewell had been brought before a justice, everything would have been all right. If anything else had happened after that, it would have been fine. We made changes to the legislation which, in essence, allowed the continuation of the collection of evidence in a voluntary capacity to occur beyond that initial point. This enabled the courts to assess the voluntariness of the evidence without having that extra restriction forced on them as a result of the Williams case in Tasmania. The member for MacDonnell can talk all the gobbledegook in the world but he will not get away from the fact that the evidence ...

Mr BELL: A point of order, Mr Speaker! I do not think that it is appropriate to refer to my well-considered offerings as gobbledegook.

Mr SPEAKER: There is no point of order.

Mr MANZIE: Thank you, Mr Speaker. I thought I was paying him a compliment.

That particular set of circumstances would not recur because this House made changes to the legislation. There was a great deal of argument and some people were ready to lie down and die for their views. The amendments passed by this House were such as to ensure that voluntarily given evidence was not excluded. In fact, we provided the opportunity for more of the truth to be available to the courts so that they could make their assessments.

The member for MacDonnell is laughing. He thinks this is funny.

Mr Bell interjecting.

Mr MANZIE: I do not think it is funny and many people in the community do not think it is funny.

Mr Bell: I don't think it is funny either.

Mr MANZIE: Well, stop laughing.

Mr Bell: I think it is dreadful that you have not read the judgment concerned.

Mr MANZIE: I have read the judgment, but I am not going to listen to all the argle-bargle that is occurring.

We made it very clear that technicalities cannot exclude evidence. By the same token, it is the responsibility of the parliament to make legislative changes. That is not the role of the courts. If there are problems in the operation of the courts, it is the province of this parliament to correct them. If there are criticisms of the courts because of restrictions which arise from legislation, those comments and criticisms should be redirected to members of this parliament.

I believe that, unfortunate as the editorial was, it certainly did not amount to scurrilous abuse and did not impute corruption, bias or improper motives. I do not consider it contemptuous. I do not agree with the editorial but, as Lord Denning said, something far more important is at stake and that something is nothing less than freedom of speech itself. I will have no part of the motion proposed by the member for MacDonnell and neither should any other member of the Assembly.

DISTINGUISHED VISITOR
Senator Bob Collins

Mr SPEAKER: I draw the attention of honourable members to the presence in the gallery of Senator Bob Collins, a former member of this parliament. I am sure that members will join with me in offering him a warm welcome.

Members: Hear, hear!

Mr PERRON (Chief Minister): Mr Speaker, I feel compelled to make a few comments in this debate inasmuch as the name of the Commissioner of Police has been brought into it. Clearly, that is of concern to me. The commissioner's name was raised in the context of his comments in the media. These stemmed partly from a particular court case wherein the court had ruled that evidence tendered by the Crown, in the form of video enactment of the crime and a confession, was ruled as inadmissible as a result of a technicality. The Commissioner of Police believed very strongly, and continues to believe very strongly - and I support his view - that the courts should not deny a jury evidence of such quality and should allow the jury to make up its mind as to whether such evidence was obtained voluntarily and without coercion. Obviously, this is a very important factor in the presentation of evidence. The Commissioner of Police believes that, in a case such as that one, the jury should make the decision itself.

The Territory government has enacted legislation, controversial as it was at the time, which relates to investigative detention powers of police. As a result of that legislation, the problem has been largely overcome and I am sure that, as time goes by, experience will show whether there will be a series of complaints regarding the time for which police detain people prior to actually bringing them before a court. We will also see what happens in

relation to the admissibility of various types of evidence obtained by police. We will see whether the changes really work.

The crime which we have been discussing was particularly horrific. Fortunately, in my view, justice was done. The perpetrator was found guilty and received a very lengthy sentence. I do not know whether I was fortunate or not but, soon after becoming the minister responsible for the police force last year, I went to police headquarters to be briefed on various matters including the trial videotaping of interviews. During that briefing, I was shown the video recording of the re-enactment of the crime in question. I can assure all honourable members that such evidence is incredibly powerful.

I cannot add much other than expressing my belief that, as we move increasingly to videotaping interviews relating to serious crimes and re-enactments of serious crimes, I believe that we will see a much higher rate of success in the prosecution of criminals than has occurred in the past. I have seen 2 re-enactments and, to my mind, it would be very difficult for even skilled counsel to put a case to a jury that either was done under some sort of coercion. Such re-enactments normally involve a reasonably long series of events, preceded by considerable videotaped discussion which includes the question of the willing participation of the accused, the legal rights of the accused and so forth. It is all presented very clearly. The viewer, the jury, is given a picture which allows it to determine whether or not the person re-enacting the crime is doing so of his own or her own free will or is acting under coercion. It is very powerful evidence.

The Commissioner of Police has all the emotions which the rest of us have. He feels very strongly, probably more strongly than some of us because of his line of business, that occasionally people go free who should not go free. I suppose his feelings are no stronger than those of most police officers, people whose task it is to pursue wrongdoers every day and to witness some of the most horrific acts which humanity can commit, things which the average person will never see or hear about. Those people feel particularly strongly when they see people walking out of the courts because of technicalities.

I would like to take the House's time to read from the NT News of Thursday 28 September 1989, from an article in which the Commissioner of Police replied to an article of similar size which had appeared a week or so previously expounding the views of the heads of 3 legal bodies which were criticising the Commissioner of Police for his comments. This was one example that the Commissioner of Police gave. It is public information. It says:

> There is one acquittal I can refer to which may illustrate my point. This concerned 2 youths who stole a vehicle and burnt it in the bush. The youths were apprehended by police, confessed to the offence, and took police to the burnt wreck of the vehicle. They were charged with stealing and committed for trial.
>
> Before the trial, the Crown decided the more appropriate charge was that of arson and the defence counsel, who is known to me personally, decided to run a technical defence on the basis that, as his clients were cautioned only for stealing, which carried 7 years maximum imprisonment, and not for arson, which carried 14 years maximum imprisonment, their confessions were involuntary and should be ruled inadmissible.

There was no allegation during the trial process of any impropriety or malpractice on behalf of the police apart from this issue, and no suggestion that the confessions were not otherwise fairly obtained. Despite this, the court accepted the defence argument and, as a result, the confessions were ruled inadmissible and the Crown found itself without a case. As the accused left the docks, one of them said in my presence, 'Christ, what a joke', and a joke in my view is precisely what it was.

Stealing someone's car and putting a match to it is not a particularly serious offence although I suppose it would be pretty serious as far as the owner of the car was concerned. However, it is simply an example of the sorts of things which, quite clearly, make the Commissioner of Police pretty angry. He has limited resources with which to pursue criminals. The police go to considerable effort to bring cases before the court and technicalities arise whereby the court rules, for what it quite clearly sees as good reason, that these people should go free.

Such cases are of considerable interest to politicians because we have the control of the law and should take what steps we can take to prevent such situations occurring if we believe that such steps are warranted. That is what we did in respect of the investigative detention powers which we passed in the Assembly last year amid enormous fuss from members opposite and members of the legal fraternity in the community.

On the subject of the Commissioner of Police making public comments, as long as I am Minister for Police, the Commissioner of Police will have the discretion to comment as he sees fit. The commissioner is no doubt very well aware of the risks involved when people in positions such as his make public comment, and I am sure that his comments were made in that knowledge.

Mr Smith: What a hypocrite.

Mr VALE: A point of order, Mr Speaker! The Leader of the Opposition should withdraw the word 'hypocrite'.

Mr SPEAKER: I would ask the Leader of the Opposition to withdraw the word 'hypocrite'.

Mr SMITH: Mr Speaker, I withdraw.

Mr PERRON: Mr Speaker, I am sure that the Commissioner of Police is well aware of the risks involved when he makes public comment on these matters. The risk is that, when you put your head up publicly, you then become a potential target for other people and groups. Indeed, the commissioner's comments attracted numerous criticisms. I do not believe that any of the subsequent debate has set us back in any way. Indeed, the commissioner has fostered debate in the community on a subject which is very important to us all. The Commissioner of Police knows that, if he makes public comments with which I disagree as Minister for Police or Chief Minister, I would have to be publicly critical of him. Certainly, there has been no reason for me to be critical of him to date. I am happy to leave the Commissioner of Police with the discretion to speak out on what I see as a completely apolitical basis.

The member for MacDonnell's motion seems to overlook the strong powers which are available to the courts in dealing with matters of contempt. I have always understood that the courts and this parliament have the power to summons people to appear before them and deal with them for contempt. I

understand that there have been a number of cases in Australia's history in which people have been brought before the parliament or the courts as a result of comments which they had made and which appeared to bring the court or the parliament into ridicule. I do not accept the honourable member's argument that the sole defender of the judicial process under our system of democracy is the Attorney-General.

Mr Bell: I said the parliament.

Mr PERRON: If the court feels strongly enough about the editorial to which you took great exception, it has considerable powers in respect of dealing with its initiator. It probably has the power of imprisonment in this regard. We have had examples where a Northern Territory Supreme Court has taken exception to a comment made totally outside the court system and has sought responses and apologies. I do not feel that the judges, in this case, necessarily need this House to pass a motion such as this in order to protect them.

Mr POOLE (Araluen): Mr Speaker, I rise to comment on this motion. It is interesting that the motion has come before this House at a time when there has been considerable criticism by the general public in relation to sentencing in the Northern Territory. Perhaps the impetus behind the editorial was simply to express the frustration of many people in the Northern Territory at what they see to be fairly lenient sentencing policies. I agree with some of the comments which the member for MacDonnell made this morning in relation to media reporting of trials and sentences in the Northern Territory over the past few years. Possibly the media itself has much to answer for.

I would like to comment in relation to public concerns about sentencing policies and how the general public can get its message across to politicians and thereby have an effect on legislation and the judicial system. Tomorrow, I hope to be able to present a petition calling for a less lenient attitude towards criminals in the Northern Territory, particularly in cases in which violence is involved, especially violence directed at women. Much community feeling stems from a recent case in Alice Springs in which a number of men were sentenced to a total of 26 years in jail. However, at the end of the day, they were to become eligible for parole within 2 or 2½ years. There has been a fair amount of media coverage of that matter during the last 10 days or so and many people in the community, both men and women, are using their right of free speech to protest at what they see as very lenient treatment of particular offenders.

It is interesting to consider how, over a period of time, the media plays a role in formulating people's attitudes towards such matters as sentencing policy. Much depends on how news stories are written. I have numerous examples of press coverage of particular crimes which involve people right across the community, encompassing both black and white citizens of the Territory. I certainly do not want to direct my remarks at one section of the community or the other.

Early last year, there was a fair amount of comment in Alice Springs when a youth was convicted of unlawful assault against a 13 year-old girl and the attempted rape of a woman in her own home. The convicted youth was ordered to enter into a $200 2-year good behaviour bond with the condition that he spent some time with his family out in the bush. This particular individual, obviously a young adult, pleaded guilty to charges of unlawfully assaulting a female with intent to have carnal knowledge thereby causing bodily harm, and unlawful assault of a female. Reading the newspaper report

of the judge's summing up, a report which no doubt involved some selective quotation, one would have expected the accused to be sentenced to 20 years in jail. At the end of the trial, however, he was sentenced to terms of imprisonment of 18 months and 6 months and the sentences were suspended. I can remember a number of people coming to see me and saying that they did not think that was right and asking what they could do about it.

I believe that the community feels a sense of frustration. What do you do when you continually see people appearing in court and receiving very light sentences? I have always told people that, if they are really interested in the judicial system and why people get sentenced in that manner, they should actually attend the courts when trials are being conducted. If people hear both sides of the story, they are in a position to know about the mitigating circumstances which counsel pleads to a judge or magistrate. Of course, the majority of people in our community do not have time to do that sort of thing and, in reading newspaper reports of 40 or 50 decisions which have been made in the Northern Territory during the last 12 months, it is clear that the response of the general public would be to the effect that sentences were not severe enough.

An example which comes to mind is that of a man who was placed on a suspended sentence for killing another man with a chisel. He escaped another jail term after breaching the conditions of his bond when he became drunk and stole clothing from a shop. Whilst I probably agree that a lapse like that should not result in a jail term if the original crime was not particularly significant, I believe that the overwhelming view of the community would be that killing somebody with a chisel was a very serious crime, the perpetrator of which should receive a considerable jail sentence no matter what the circumstances.

There are some peculiar examples, Mr Speaker. Some people who have stolen gold have been sentenced to jail for 8 or 10 years. On the other hand, there are examples of people who have anally, orally and vaginally assaulted females for periods of some 48 hours and held those females in fear of their lives for a couple of days, who have ended up with comparatively short terms of imprisonment. There is an ability in the Northern Territory, particularly in the case of rape which involves grievous bodily harm, to sentence an offender to life imprisonment. No member of this House is in a position to advise the judiciary as to what it should be doing, nor should we be in that position. The fact of the matter is, however, that the majority of people in the community certainly expect more to be done and really do not accept arguments put by politicians which tend to be based on the costs of services provided by government: how much it costs to put people in jail, how many prisoners can be accommodated, and statistics that demonstrate a decline in the jail population.

There is a commonsense view that, because imprisonment does not really produce good results, it is good if the jail population is not large. The wider community, however, is inclined to say: 'We do not really care how many people you put in jail. If there are 300 people in a jail designed for 150 people, we do not give a damn about that. We would rather people be in jail than have them breaking and entering, assaulting our wives or children, committing robberies or whatever'. What I am talking about is what, on a previous occasion, I think the member for MacDonnell described as 'motherhood stuff'. I accept that it is motherhood stuff but, today, motherhood stuff is very important to most people because most people see their way of life changing.

When I first came to Alice Springs, I did not believe that I would ever be in a situation of saying to my wife or my children that they should not walk through certain parts of Alice Springs at night, let alone feeling unsafe about doing that myself. Nevertheless, there is an inherent danger in walking down the Todd Mall at night. Last Thursday or Friday night, about 100 youths were apparently wandering around the mall. They ended up smashing 6 or 8 windows and causing thousands of dollars worth of damage. Unfortunately, this occurs regularly.

I give the police in Alice Springs their due and I accept that, in terms of cost to the community, police patrols can only go so far. The police do a tremendous job in Alice Springs, as they do throughout the Northern Territory. I might say that I cannot for the life of me understand why people want to join the police force. It would be one of the hardest jobs in the Northern Territory. Nevertheless, our community demands that we do more. We should not be in a position where we have to put bars on our windows to keep people out. That situation should be reversed. The people who want to break in should be behind bars.

I have some examples here. A 24 year-old who hurled a tomahawk at a woman police officer, and then apologised, was fined $1000. A fellow who tried to stop a guy who had stolen a painting was assaulted. The offender was given a 2-month suspended sentence and fined $600. A single mother of 2 won a court order preventing a man who, it was alleged, had sexually assaulted her daughter, from harassing her family ...

Mr BELL: A point of order, Mr Speaker! I agree substantially with much of the material that the member for Araluen is putting forward now. I find it very interesting and I would appreciate the opportunity to debate it at some time. I point out to the member for Araluen, however, that the actual text of the motion relates very specifically to an editorial in the NT News which appeared on a particular date and the effects of it ...

Mr Perron: He is talking about the subject you raised.

Mr BELL: In answer to the interjection from the Chief Minister, I think that it is decidedly improper in this context to have a broad-ranging law and order debate. I am quite happy to be involved in such a debate at some time, but I do not believe that a lengthy debate on sentencing policy in the Supreme Court is relevant to the particular motion before the House. I would ask you, Sir, to rule that the honourable member is out of order at this stage.

A member: A gross case of double standards.

Mr Bell: It is not a case of double standards.

Mr SPEAKER: Order! I have before me the motion moved by the member for MacDonnell. After hearing his argument, I must advise the honourable member that, during the course of his speech in support of his motion, I allowed a tremendous amount of latitude for him to make his point, not only in respect of the alleged contempt by the NT News, but in relation to other examples. I believe that, in speaking to the motion, other honourable members should have the right to wander within the same parameters. However, I would ask the member for Araluen to confine his remarks, where possible, having regard to the motion.

Mr POOLE: Thank you, Mr Speaker. I reiterate what I said at the start of my contribution to this debate, which is that media reports of what I

consider to be the community attitude have resulted in the journalist who prepared the editorial in question responding to a need to put the community view in such a way that it would attract the attention of the judiciary, so that people in the judiciary would get a sense of the feeling ...

Mr Bell: Move your own motion and debate it, Eric!

Mr POOLE: Mr Speaker, I think a far wider question is involved than simply that of law and order. It embraces the way everything is reported in the Northern Territory, and there are stacks of examples. We could turn this into a debate on the media and the media's role in formulating public attitudes in the Northern Territory. There are myriad examples which are relevant in that context. The member for MacDonnell made the point that he probably would not get any points from the media for even raising the subject, and I tend to agree with him.

There are some interesting examples of the way the media handles the reporting of current events. One of the best articles was written by Frank Alcorta. It was entitled, 'Just Who is Watching the Watchdogs?' He made some quite relevant comments. He referred to the fourth estate, which the member for MacDonnell referred to as the new estate. He said: 'It is now all-obtrusive, all-powerful and unchallenged and, under the guise of the right of people to know, the media has acquired a charter of rights that, unless checked, now threaten the very freedom that it demands for itself and upon which it depends'. That is an interesting comment.

I laughed at a long article in the Bulletin a couple of months ago. Its title was 'Why Australia's Media Are on the Nose' and a number senior journalists in Australia contributed, making some profound statements about their own industry. Everything relates to what they believe the general public should have the right to read or view or say or do. That is relevant in terms of the reasons the editorial was written in the first place. One journalist wrote that complaints about journalists relate to 'inaccuracy, sensationalism, invasion of privacy, and opinionated commentary by unqualified reporters'. The Editor of The Australian wrote: 'I would like to see more straightforward reporting and a lot less opinion in newspapers'. The former editor of the Bulletin and the Director of Current Affairs for the 9 Network basically said the same thing. He said that the way stories are written probably relates to the fact that this is a big country with a small population, where journalists are spread too thinly, promoted too rapidly and replaced by even younger journalists. They do not have time to do the things that reporters use to do in the old days, such as court rounds and so forth. The Editor-in-Chief of the Australian Financial Review had some very revealing things to say and his theme was consistent throughout. It was that, on the whole, journalists are not to be trusted. It is interesting to note that research shows that journalists rank very closely to politicians in surveys on the social standing of various occupations in Australia'.

There are a number of local examples which should be referred to. Last weekend, a headline stated: 'Toxic Water to be Released'. A few days later, an article in small print indicated that the water was not toxic. I have protested in this House about journalists filming an interview, holding it for a couple of weeks and then presenting it 2 days before an election. Rebuttal information should be on the basis of fair representation. I sat down with The Investigators team for 2 hours making relevant points about a subject dear to the member for MacDonnell's heart - the seizure of motor vehicles. At the end of the program, because what I said did not fit in

with the program, there was a slide stating: 'The changes are being considered'.

Mr SPEAKER: Order! The honourable member's time has expired.

Mr COLLINS (Sadadeen): Mr Speaker, one of the cornerstones of our democracy is surely the rule of law. This contrasts with other systems of payback whereby, if an individual or family is sinned against, someone is supposed to wreak retribution on the perpetrator of the crime. In some societies, particular paybacks have continued for hundreds of years. We have a rule of law to which we like to subscribe: 'Vengeance is mine', says the state, 'and I will repay'. Sometimes, however, the 'I will repay' is more like 'we might repay'. Today, we have heard some examples of how, despite everybody, including the courts, knowing that a defendant should have been found guilty and punished, the defendant got off on a technicality.

I certainly support Commission of Police Palmer for sticking his neck out and saying that technicalities should not prevent a court from getting to the truth of the matter. He would be supported by the Yuendumu Council which, over the years, has on occasions told Aboriginal Legal Aid that it is not welcome at Yuendumu. The reason is that Aboriginal Legal Aid was using technicalities to get young offenders off charges when the council knew that they had committed certain crimes. I sometimes wish that we could do exactly the same.

As far as the matter of criticising the court is concerned, I certainly appreciate the sentiments expressed in the Attorney-General's letter to the editor in response to the editorial in question. The reality is that judges have to listen to stories which would make our blood curdle. They have to make judgments on matters of which we have no experience. However, the media has a role to play. If it feels that it is reflecting the way the community feels about things, I believe that it has a democratic right to express those views. If the media sticks its neck out, other people in the community have the right to give their side of the story. The media has received a few brickbats in that respect.

In the past, I have struck my neck out in doing what I believed was right in reflecting the views of the community and, certainly, the concerns of people involved in the legal system, in relation to light sentences. I particularly recall the very strong feelings expressed by a particular person for whom I have a tremendous amount of respect when he felt that the judge, in summing up on a case, had erred somewhat in persuading a jury away from a murder conviction. The case involved an Aboriginal man who had stabbed his wife 200 times. In summing up, the judge said to the jury: 'It is obvious that this was a tribal punishment. After 200 stabs, the man's hands were getting tired and he was no longer able to judge how deep the stabs were. The woman died as a result'.

My public reaction to those events drew a fair bit of flak from the justice in question. At the time, I did not know what his name was. I was criticised from the bench, which was fair enough. I was given the impression that there was no way in the world that this particular justice would change his views on sentencing because of anything that I might say. To his great credit, however, in an expression of great courage and decency, the justice gave further thought to the matter and, on the following day, stood down from the bench and gave a very reasoned statement on the matter. Since then, I have met the justice in question, a friend of mine being a close friend of his, and we have discussed the matter.

The discussion took place in the Smith Street Mall at about the time when an article about the issue appeared in the newspaper. The justice said to me: 'We do not have the right to live in an ivory castle. We should be criticised if the public genuinely believes that we have done the wrong thing. Such criticism provides a form of check and balance'. I thought that that attitude was ideal. It reflected the approach of the Attorney-General who spoke about the view expressed by Lord Denning. Provided that there is no malice, freedom of speech is vital. There should be an interplay. I appreciate that we should not be sitting on the shoulders of judges and telling them what to do but, as parliamentarians, we have a duty to express public concerns and feelings and feed them into the system.

The good justice, whose name I have not mentioned, agreed in our discussion that there is a role for the judiciary to feed its concerns back to the parliament through the Attorney-General. Such concerns may arise in relation to legal technicalities when justices feel that a person is guilty but are faced with their duty to administer the law as it is. They may be aware that technicalities are being used to provide an escape route. In such circumstances, advice to the Attorney-General could result in the legal situation being rectified by the parliament.

Mr Speaker, during my 10 years in this parliament, a number of cases have angered me greatly. One involved the naval rating, Browning. I remember Chief Minister Everingham giving me the transcript of the court case. As honourable members may recall, Browning was killed on the Barkly Highway by a couple of fellows.

Mrs Padgham-Purich: Thugs.

Mr COLLINS: Yes, thugs. In fact, they were lower than thugs. The police in Alice Springs firmly believed that Browning had been hamstrung - that is to say, his hamstrings had been cut so that he could not move. He was left on the highway while one fellow fetched the other. The police believed that they then committed sodomy on him, subsequently using a knife on his anus to try to cover up the evidence of the attack, before smashing his head in with a lump of ant hill. However, after the body had been beside the highway in stinking heat for 2 or 3 days, the Coroner could not be absolutely sure that an animal might not have attacked the body. Police evidence was not allowed and there was some plea bargaining. What really got up my nose, however, was the transcript. On reading it, one received the impression that the real crime was the fact that the 2 fellows had taken $3000 which the naval rating had on his person rather than the fact that he was dead. That still angers me today.

Another case, which I became informed about through the Centralian Advocate, involved 2 German girls. Foolish though they may have been to accept a ride from 6 youths in Alice Springs a couple of years ago, they certainly did not deserve the treatment they received. Six youths were involved but only 3 were charged, which means that 3 are still out and about. The girls were certainly very upset. They had the courage to come back from Germany for the trial, which must have been a pretty difficult thing for them to do. I really admire their courage. One of the youths was accused of raping one of the girls anally, vaginally and orally, twice in each case. A second member of the trio was charged only as an accessory. The German girl said that he did exactly the same as the first fellow did but the police said that there was a technicality. No doubt there was, and I have no doubt that the police prosecutors did everything they could do. I tend to believe the girl in relation to what happened and I believe that the

second offender should have received exactly the same treatment as the first. With the remaining 3 youths not being brought to justice, I can appreciate that the girls feel very poorly done by.

In that case, our system of justice did not uphold the rule of law. The punishment certainly did not fit the crime in that case. The girls are trying to put their lives back together and, whilst in a sense it is not our job to apologise for this sort of terrible behaviour which upsets us all, perhaps something should be said. The girls may appreciate it if some of us from Alice Springs are prepared to write to them to apologise and to express appreciation for their courage in going through all the expense and trauma of trying to bring those involved to justice.

It is also of concern to me that this group had reputedly formed a rape pack. It is suspected that police believe that they may have been responsible for a number of rapes, some of which have not been reported. I have heard some strong suggestion that at least 1 of the persons charged was the leader of the pack of 4 who raped a girl by the Stott Terrace bridge. Honourable members may recall my comments about the lighting of the Todd River bed in order to provide some protection. Certainly, the person of whom I speak has not been brought to court in relation to that matter.

This type of thing needs to be stamped out. We have to stand up against it. I certainly will do so. I appreciate the words of other honourable members who have spoken in support of the community's attitude that this type of behaviour cannot be condoned. We have to stamp it out and stamp it out hard. I certainly do not care if our jails are full of these people. I will feel much happier if I can tell my constituents that it is safe for them to walk around Alice Springs at night time because the people who perpetrate this type of crime are behind bars and those who might be tempted know darned well that, if they are caught, the system will put them away for a long time.

Mr Speaker, in conclusion, the situation is one of checks and balances. Provided that it is not malicious, even if it may be a little misguided from time to time, criticism of ourselves as parliamentarians, and of the legal system, must be allowed. It acts as a check and balance and, as Lord Denning said, if the judiciary is doing its job fairly and squarely, it will stand up to the inspection and close scrutiny of the public. I believe that that type of pressure is necessary to keep the judiciary doing the job that we expect of it. There is also a role for the judiciary in informing the parliament of problems it encounters in administering the law, and that applies equally to the police force. It is up to us to understand and make laws and rules of behaviour so that, as the Commissioner of Police has said, we can get at the truth and not be tripped up by technicalities.

Mr TUXWORTH (Barkly): Mr Speaker, I do not believe that anybody would have thought this morning that this innocuous motion would draw so much attention. I think it is pretty important, because it is really focusing on community attitudes which are very strong. Anybody who has his ear to the ground would have to say that the comments made in the editorial really reflect the comments of the community. People have a great concern about the decisions and penalties handed down by the courts. At the same time, they understand that they cannot have an open season on judges every time a judge makes a decision which they do not like, because that would undermine the system.

This afternoon, I would like to raise what I think is an important adjunct to this issue. It is that, in the Northern Territory and, in fact,

in the rest of Australia, there is really no formal way for the community to take to the magistracy and the judiciary its feelings about decisions and penalties handed down in the courts. The fact is that the court system is really there to serve the people. It is also a fact that many people in the community feel that the courts are letting society down. It is easy for individuals to take that view. They get a 40-second news broadcast at the end of a trial or a hearing. They read a 6-inch article in the newspaper and they very quickly form a view on the rights and wrongs of the matter, whether they think the judge was too lenient or whether the defendant got off scot-free. The result of that is really a loss of confidence in the system.

Some 6 or 7 years ago, I was aware that a considerable number of my constituents in Tennant Creek had reacted very strongly against a decision of the courts. The reaction was so strong that I was not prepared to make a public issue of the matter. However, I went to see the magistrate and said: 'I don't really know how to raise this with you. I have never heard of this happening before, but I feel compelled, as a matter of duty, to tell you what people are saying'. He listened carefully and said: 'Thank you for coming and telling me. I am glad that you did so because, like everybody else, judges and magistrates are human although, by virtue of our circumstances, we really live in a contained environment. We do not have a great deal of contact with the rest of the community and we do not get to hear what people are saying. Normally, when we do meet people socially, they are very careful about what they say to us anyway'. I asked how he would like a similar situation to be handled in the future. He said: 'Please ask the people concerned to write, come to see me, send a delegation or whatever takes their fancy. I would rather have that happen than for it to linger on and to have the court fall into disrepute for the way in which it handles cases'.

Since that time, I can say that at least 3 people I know of have gone to magistrates or judges because I have told them that this is what some members of the judiciary would like them to do. The people concerned have expressed their satisfaction with the outcome of that process. They had the opportunity to say their piece and have also heard the other side of the story. The whole thing worked out very well. What I think we ought to look at in the course of time, and that does not necessarily mean during the next few months, is the possibility of setting up a formal system which would advise the judiciary and the magistracy of community feedback about the decisions which are being handed down and the penalties which are being incurred.

Mrs Padgham-Purich: Don't they read the newspapers?

Mr TUXWORTH: Mr Speaker, the gentle lady from Koolpinyah has asked if they do not read the newspapers, and that really is the point. People are getting a part of the story from the newspapers and they are making decisions on that basis but, at the end of the day, there is no way of conveying to the judges and magistrates what the community is thinking and what the community would like to see done.

I would be amazed if the judges took the view that they did not give a damn about, or were not interested in, what the community was thinking and saying about their decisions and their penalties. In fact, I think they would probably feel quite the opposite about it. It would be a first in Australia if the Territory could lead the way by setting up a formal system which would convey to the responsible authorities, in a positive and constructive way, the thoughts of members of this House, people in community

organisations and individual members of the community, in relation to the decisions of courts. If, at the end of the day, we can set up that process so that it bears fruit and is of benefit to the judges and to the community, a great deal will have been achieved.

I understand the frustration which has led the member for MacDonnell to raise this matter and I understand the frustration of the people who wrote the editorial. There is a great deal of frustration and concern about how to handle this delicate part of our system. If we simply continue to have these grievance debates from time to time without going to the core of the matter and finding a way of conveying to the judges and the magistrates what we believe the community is saying, we will have sold ourselves short.

Mr FLOREANI (Flynn): Mr Speaker, when I read the editorial, I almost wished that it would go away because I found it very challenging. What was apparent from the editorial is what the member for Barkly has just mentioned: the frustration being experienced in the community.

Whilst I cannot support the motion of the member for MacDonnell, I can understand why he has raised the matter. My first response was that the difficulty is that we are really talking about the complexities of justice and of the law. Previously, I was involved with the settlement of refugees in Australia, particularly in Alice Springs, and often we would talk about what we were offering these people from overseas. The primary benefit which we focused on was that we were offering them freedom, and freedom from many things. When one analyses what we mean by freedom, one comes back to the most important aspect of a free society like the one which we have in Australia, and that is a good system of justice. We have laws and, if people transgress them, the system allows them to receive justice.

The people we put in charge of that system are our judges. They must be most honourable people and they must have good minds. They have a very complex job. They have to balance what is in the legislation that this Assembly has enacted, all the technicalities of the law, and the reaction of the public to the judgments that they make and the penalties imposed. The complexities and the technicalities of each case must be evaluated. There are smart lawyers and not so smart lawyers, and then there are the members of the public who look to our judges to be just. We are discussing a most complex issue, and I congratulate the member for MacDonnell for raising it.

Our judges really have an unenviable and most difficult job. I guess what we should all be doing today is reinforcing confidence in judges and I believe that is why the honourable member raised the motion in the first place.

Mr Bell: Then support it.

Mr FLOREANI: The reason why I cannot support the motion is that, on reading the actual editorial, I believe that the newspaper was trying to reflect the feeling and perception in the community and I do not think that there was any intention to show contempt for the courts. That is why I cannot support the motion. At the same time, I understand why the matter has been raised.

We have given our judges a most difficult job, and I guess we might be aware that there may be a valid criticism against ourselves as members of this Assembly. An article appeared recently in the Centralian Advocate which said that the legislature makes the laws and, if the public is not happy with the decisions made by the judges with all their expertise, they

should require that the legislators change the legislation. Perhaps what the member for MacDonnell is talking about, when we get right down to it, is the lack of action on our part within the Legislative Assembly. Mr Speaker, I will not support the motion but I do understand why the honourable member raised it.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Speaker, in all my years in the Top End, this would be perhaps the only NT News editorial that I have read which has been written in such a vein and has expressed discomfort about a ruling by a member of the judiciary. I believe that it was not done lightly. It was done because of a feeling of community discontent with a decision. I intend speaking about that in relation to another subject at a later date and therefore I will not go into that further.

Whilst we have all disagreed from time to time with the way various matters are publicised in the print and electronic media, in this case I believe that the NT News editorial was expressing the views of many people in the community. It expressed the frustration, in particular, of many women in the community in whose eyes it appeared that an injustice had been done because of the leniency of the sentencing. I contacted certain women in the community whom I knew had views on this matter and I was a little surprised at the vehemence of their views. I expected them to be rather strong, but they were vehement.

If members of the public have no way of expressing their anger or their disagreement with judicial decisions, what else can they do? One course open to them is to contact their local member, who can publicise their views. Another is to publicise their views in the newspaper. Another way to publicise their views is in cooperation with the editorial writer of the local newspaper.

As an elected representative of the people, I have full respect for the law and its administration. Nevertheless I believe that, because of the strong community feeling about this sentencing decision, the editorial in the NT News of Monday 18 September reflected community feeling. I do not think the decision to write such an editorial was taken lightly. I do not think we would see editorials of that nature written every day. Our judges and magistrates have a very difficult job. It is a job which I certainly would not like to have. However, they are human like the rest of us. They make their decisions according to the information presented and their own views. We have to respect their decisions. We may not agree with them, but we have to respect their decisions because they are made in good faith. Mr Speaker, I will not be supporting the motion.

Mr BELL (MacDonnell): Mr Speaker, there are a number of points that I want to make in reply. Very unfortunately, it appears that the motion will be defeated. Let me deal with the arguments which have been put up against this motion, not necessarily in order.

The last 3 speakers basically said that they have some reservations about the editorial. They feel a little uneasy about that type of public, unspecified criticism of judges but, because the community agrees with the sentiments of the editorial, they do not have the guts to support my motion. I think that, once in a while, this Assembly ought to say what is fair and what is not fair. I do not think that the criticism contained in that editorial was fair.

A number of speakers put forward arguments in relation to lenient sentencing. As I indicated when I raised a point of order, Mr Speaker, this

motion has absolutely nothing to do with sentencing policy. I am aware of the issues raised and the concern in various sections of the community in Alice Springs, for example, about sentencing policy. However, I do not believe that you should vote against this motion because you have a particular attitude towards sentencing policy. This motion has absolutely nothing to do with sentencing policy. A number of members are saying: 'This editorial is critical of the judges. I disagree with the sentences handed down by some judges and, therefore, regardless of the fact that the editorial has nothing to do with sentencing policy, I will oppose the motion'. That is supremely illogical. The opposition to this motion has been supremely illogical, and I will come to the Chief Minister and the Attorney-General in a moment because their comments are the most disappointing of all in this regard.

The member for Sadadeen was in exactly the same position. He began by contrasting the rule of law and the payback system. He seemed to begin by saying that he believed in the rule of law but ended up by saying that he believed that the pre-judgments of the community outside the process of the law should determine punishments. He seemed to be saying that there should be some sort of payback system.

Mr Collins: Don't put words into my mouth.

Mr BELL: Mr Speaker, it was another example of the illogical responses we have had in this regard. He also gave very graphic accounts of a couple of horrific crimes. I really do not see how those descriptions were relevant to the motion.

I believe that this Assembly ought to be expressing concern about that particular editorial. It is not a strong motion, Mr Speaker. The fact is that every speaker who spoke against the motion did in fact express concern about the editorial. They simply do not have the guts to support the motion.

Let me pick up another point which was referred to by various members. I refer to the criticism of particular cases and the results of particular cases. I do not have any problem, for example, with complaints about sentencing policy coming from the people and being expressed in the parliament or through the newspapers. That is quite appropriate. However, the editorial which is the subject of the motion before the House moves from a specific criticism to a generalised statement. I remind honourable members of what it said. It moved from a specific criticism of sentencing policy to a statement that 'many judges live on cloud nine'. That should not be acceptable as a generalised public statement in a newspaper. This parliament has a responsibility to make its views quite clear in that regard.

Mr Coulter: You could probably continue a lot of this in item 4.

Mr BELL: You could have contributed to the debate, boyo. You did not bother so shut up now, Barry.

Mr Coulter: We have a big day ahead of us. You are defeated. Your own colleagues are not even here to hear you. You have 12 minutes to hit your straps.

Mr BELL: It is a shame you were not here earlier. Been seeking a bit of legal advice about going for a row on the TDZ, have you?

Mr Coulter: Here we go. You have been very quiet. You are just saying that because you know there is a good chance of you being the boss.

Mr BELL: There is a very good chance of your not sitting in that seat the next time we sit.

Mr SPEAKER: Order! The member for MacDonnell will confine his remarks to his motion. He was doing so very well until a moment ago.

Mr BELL: I request, Mr Speaker, that, when the Deputy Chief Minister interjects, he be called to order. He was not present during the debate and his persistent and irrelevant interjections are somewhat less than acceptable in my view.

The Chief Minister raised a number of issues and his was probably a more reasoned offering than that of the Attorney-General. It was certainly more reasoned than that of any of the later speakers. He talked about this matter being the result of a technicality. The point is that, if we believe in the rule of law, we must have rules about what courts will accept. That is why we have an Evidence Act. If there are particular occasions in which evidence is not accepted, lengthy legal argument is involved. I remind honourable members that the particular judgment being discussed was the result of a week's work by the court to decide whether particular evidence would or would not be acceptable. Certainly, there were 4 days of argument about this matter. There was close argument about a complex set of facts and I do not believe that members of this Assembly ought to be dismissing that time as only delving into technicalities, the implication of the term 'technicality' being that it is irrelevant.

It is incumbent on us to review and amend the evidentiary process. That is our job. As the Chief Minister and the Attorney-General pointed out, the Assembly has passed laws which attempt to address the issues associated with investigative detention. The opposition's view in that regard was that the decisions ought to be left to the discretion of judges. However, instead of dismissing particular matters as 'technicalities', we ought to make the effort of determining what they are. That is preferable to accepting a terminology which simply encourages people to be critical of judges and the legal profession in general. I think that it is very unfortunate that the Chief Minister chose to dismiss these exercises, albeit that they are time-consuming, as only involving technicalities.

The fact is that a fundamental aspect of the rule of law is that technicalities have to be delved so that everybody can be treated equally before a court of law. That is why those laws have been established. The very rules which members of the government are dismissing as technicalities have been built up over hundreds of years. If they need to be amended, that is fine. However, they need to be amended on a non-emotive, well-debated and well-understood basis.

Mr Perron: You were not non-emotive last year. We brought in a police powers bill and you fell out of your tree. Talk about non-emotive debates!

Mr BELL I do not resile from my position in any way.

Mr Perron: I bet that you will do it next time too.

Mr BELL: I remind the Chief Minister that, in that police powers debate, his government went about 10 times further than any jurisdiction in this country has ever contemplated going.

Mr Perron: Are we supposed to be embarrassed about taking leads? We did so on domestic violence too.

Mr BELL: The Chief Minister wonders why we opposed something which made the Northern Territory the laughing stock of ...

Mr Perron: Now we are the model for the nation.

Mr BELL: I will be very interested to see how that legislation works. I suggest that, in much more populous jurisdictions than this, the situation is difficult.

However, Mr Speaker, I continue. Neither the Chief Minister nor the Attorney-General understands the issue of voluntariness. That is quite clear. The issue of voluntariness is not simply a matter of time. Both the Chief Minister and the Attorney-General said that it was simply a matter of time.

Mr Perron: How about a matter of will to give a confession?

Mr BELL: In the particular case under discussion, the question was whether, in the view of the court, evidence had been given voluntarily. It was not a question of the amount of time involved. If the Chief Minister takes the trouble to read the judgment, he will find out why. It is quite illuminating. The fact is that oppression occurs, in the sense that people sometimes offer confessional material which is not subsequently accepted as evidence because it is offered in oppressive circumstances. Courts believe that, on occasions, police obtain confessional material which is not given by the accused of his or her own free will.

Mr Coulter: 6 minutes to run.

Mr SPEAKER: Order!

Mr BELL: I remind the Chief Minister of the Lackerstein case, a celebrated and very relevant case in which, quite recently, a petty thief had a gun put to his head on one of the airstrips beside the Stuart Highway in an attempt to force him to provide confessional material. That material was struck out by the courts because ...

Mr Manzie: Of course it was!

Mr BELL: That is absolutely right. What I am concerned about is that the courts need to retain that discretion. It is clear that there are 2 aspects of the issue.

The Attorney-General and the Chief Minister say that the so-called 'technicalities' have been done away with. I point out that the investigatory detention provisions which were enacted last year are yet to be tested by the court. To say that the evidence that was struck out in the Bakewell case would have been accepted if Bakewell had been arrested subsequent to the enactment of those amendments is not necessarily correct.

Mr Speaker, let me just sum up on the question of the right of the heads of statutory authorities to make public pronouncements on public policy matters. The Leader of the Opposition referred to the fate of the chairperson of the Women's Advisory Council. I think the rule is that, provided the government agrees with you, you can go for your life. During the last few years, Commissioners of Police have been given more latitude than the heads of other statutory authorities, but they have had to make sure that they have had the government behind them. I interjected when the Attorney-General was speaking to remind him of the circumstances of Ray

Whitrod, who publicly disagreed with public policy on policing in Queensland after the Bay of Islands fiasco. The results are now part of history.

My final point concerns the illogicality of the government's opposition to the motion, as announced by the Attorney-General. The Attorney-General tabled his letter to the editor of the NT News, a letter which he apparently signed on 19 December, the same day as the Solicitor-General signed a letter which was published the day after. The Attorney-General pointed out that his letter appeared in the NT News on the Friday, which was 22 September. I concede that, until the Attorney-General drew my attention to his letter during today's debate, I was unaware of it. Having been informed of that, I am somewhat mollified and, in fact, I retract my comments about his sitting on the fence. I was pleased to see that he had expressed his view to the newspaper in those terms.

In his letter, the Attorney-General expressed his concern about the editorial. He said: 'I wish to correct some of the assumptions contained in the editorial ... I reject totally your attack on the Territory's judiciary'. Given those statements why, in the name of all that is holy, will the Attorney-General not support a motion which expresses concern about that editorial?

Motion negatived.

EXPLANATION OF SPEECH

Mr COLLINS (Sadadeen)(by leave): Mr Speaker, the member for MacDonnell suggested that I seemed to support the rule of law whilst also seeming to support a payback system. I would like to explain that I have sworn in this House to uphold the rule of law, as each member has done. I do uphold it. In order to clarify my position to the member for MacDonnell, I believe that community support for the rule of law depends on the community believing that punishments imposed on behalf of victims are fair and reasonable.

TENANCY AMENDMENT BILL
(Serial 242)

Bill presented and read a first time.

Mr SMITH (Opposition Leader): Mr Speaker, I move that the bill be now read a second time.

Last November, this government refused to grant leave for the opposition to introduce a simple, straightforward bill to address a problem which small shopkeepers had been encountering with standover landlords. At the time, the Minister for Health and Community Services was more interested in obstruction than in supporting a sensible proposal to rectify a problem which had become apparent. He ignored the urgency of the issue and told us to hold off until the next General Business Day. The honourable minister also informed the parliament that the government had embarked on a course of action to remedy the situation. At the same time, the honourable minister moved into paranoia mode and declared that, by proposing to amend the act, the opposition was responsible for creating the crisis.

I clarified the matter for the honourable minister last November and explained that it was the member for Wanguri who gave the story to the Sunday Territorian, having come across it himself in the course of his regular visits to members of the business community in his electorate. Mr Speaker, we are not responsible for creating a crisis. However, we are

responsible for exposing it, and it is far better to be responsible for bringing a problem to light and presenting a reasonable legislative solution than to be responsible, as this government is, for needlessly delaying the solution and effectively allowing it to continue - and it has continued.

Before I present a brief summary of the proposed changes to the Tenancy Act, I will explain how this issue came to light in the first place, review the events to date and make it very clear that this government has been negligent, if not obstructive, in refusing to attend to the matter expeditiously. Last year, as I said, the member for Wanguri conducted a number of business visits and, among a large number of complaints, concerns and frustrations that were expressed to him, this matter was mentioned. There are instances in the Northern Territory in which landlords are demanding that small shopkeepers leasing their properties make what is euphemistically called a goodwill payment for the privilege of renewing their leases. The amounts demanded have allegedly been as high as $250 000.

Here is an example of how it works. Imagine that a shopkeeper has a 6-year lease. Some 4 to 5 years into the lease, after he has built up his facility and his reputation, he approaches the landlord about renewing the lease. The landlord says that that can be arranged, but it will be necessary to pay something up-front. Obviously, the shopkeeper is keen to retain his lease. He is committed financially because he has made an investment in fixtures etc and because the business is his livelihood. The landlord has seen that the business is going well and he knows that the shopkeeper does not want to give it up. The landlord is in a position to say that he can always find another tenant if the shopkeeper does not want to make the so-called goodwill payment. He is in a position to take advantage of the shopkeeper and, unfortunately, that has happened. The conditions under which these transactions are made add to the reprehensibility of the practice. The payments have been demanded in cash only. There is no written documentation or receipt and nothing in writing whatsoever which indicates that the payment has been made. This has interesting tax implications and possibly stamp duty implications as well, especially for amounts as high as $250 000. That was how the system worked.

Last November, the Minister for Health and Community Services said that he had not been advised previously of these practices. He cannot say that now. Since last November, the honourable minister has met with representatives of the tenants - that is, with the small business owners. He has also met with the landlords, and he has told each group what it wanted to hear. At the meeting with the small business owner representatives, he made a commitment to introduce legislation to protect them. He later reneged, saying that further investigations were necessary and that something would be done early this year. At the same time, he advised the landlords that their interests would be protected. Any person can see that there is a conflict there. Is it simply a matter of the minister wishing to please all of the people all of the time or is the conflict deeper than first meets the eye? I do not think it is coincidental that, when this matter arose, a prominent Darwin landlord and CLP member was attempting to negotiate a goodwill payment with a local supermarket operator.

This amendment is a specifically-targeted legislative answer to the standover landlord problem. At present, the Tenancy Act specifically excludes premises leased for business purposes. In fact, there is no legislation in the Territory which covers commercial tenancies. Instead of a commercial review of the Tenancy Act, this is an interim measure meant to address the immediate problem until such time as a comprehensive review of

the act can be completed. The proposed amendment to the Tenancy Act inserts a new section 36A which is called 'Application of Part VI to Commercial Premises'. Part VI deals with payments other than rent. It disallows a series of payments, including payments of the sort currently being demanded by some landlords for the renewal of commercial tenancies. The problem is that, as part VI now stands, it applies only to residential tenancies. This is because the definition of 'premises' under the interpretation section of the principal act excludes a guesthouse, hotel, motel or boarding house, premises used in the tourist industry and premises leased principally for business purposes whether or not the premises may be used for a residence or residences permitted under the lease. Effectively, this excludes all commercial leases from being subject to the act.

The proposed new section specifically brings the above types of premises under the jurisdiction of part VI. The wording is modelled on South Australian legislation, namely section 57 of South Australia's Landlord and Tenancy Act. South Australia was confronted with reports of the same sort of unscrupulous practices some years ago and, as a result, introduced section 57 into that act in 1985. I draw attention to subsection (2)(d) of proposed new section 36A. Under that subsection, any payment of a prescribed class or description is excluded from the types of payments which are disallowed under part VI. By way of explanation, there are no payments of a prescribed class or description in existence at present. The subsection is included to cover possible future events such as the making of regulations which may prescribe certain types of payments.

In summary, I want to make it clear that the opposition does not want to interfere needlessly with market forces. The opposition is not advocating heavy regulation of commercial practices but, where there is clearly abuse in the commercial market and the victims of the abuse are without recourse, the opposition advocates the introduction of legislation. The states have found it necessary to legislate against exactly this sort of practice. Obviously, legislation will not necessarily eradicate the problem but at least it will give the victims something substantial to refer to and the confidence of legislative backing so that they can come forward without fear. I would like to say, once again, that the opposition would ideally like to see a comprehensive review of the Tenancy Act undertaken and, Mr Speaker, I am sure you will agree that something must be done quickly to stop these standover landlords. I commend the bill to the House.

Mr HATTON (Health and Community Services): Mr Speaker, I want to make some brief comments initially, before seeking leave to continue my remarks with respect to this matter. I will do that only because the Leader of the Opposition has made some allegations in respect of actions which I took late last year, and those allegations need to be corrected here and now.

This matter was brought before the Assembly last year. At that time, I indicated that, should legislative action be necessary, it would be taken. We have not resiled from that. Subsequently, I held meetings with all parties involved. I might say that all parties, including the Confederation of Industry, the Real Estate Institute and the representatives of landlords, supported the advice from the Department of Law that we should not proceed to legislative action without further consideration ...

Mr Smith: That is right. That was 4 months ago.

Mr HATTON: ... and that we should seek advice. I have followed that up and, since that time, I have written to all the relevant organisations. I have sought the views of the business community through the Small Business

Association and the Business Council and I have been in contact with the Department of Law. I am advised that it is not a matter which should be dealt with in a piecemeal process. If it is to be dealt with, it should be dealt with in a proper way.

Mr Smith: What a cop-out! What a pathetic response.

Mr SPEAKER: Order!

Mr HATTON: I am prepared to take the advice of the legal experts, and I am prepared to wait until a broad cross-section of industry representatives are prepared to come forward to give me their views on whether or not they believe there should be legislative interference in the commercial tenancy process. Obviously, the Leader of the Opposition has no intention of taking into account the considered, broad view of the business community, and that is a matter for him. I am going to do that, Mr Speaker, and I seek leave to continue my remarks at a later stage.

Leave granted; debate adjourned.

MOTION
Reference to Publications Committee

Mr PALMER (Karama): Mr Deputy Speaker, I move that:

(1) the following matter be referred to the Publications Committee for inquiry and report:

(a) the numbers of copies printed of reports and other documents which are normally presented to parliament and their distribution; and

(b) the availability of such reports and documents and the potential savings which could accrue to the government by the utilisation of electronic distribution; and

(2) for the purposes of the inquiry the committee have power to move from place to place.

Mr Smith: Within Australia.

Mr PALMER: Within Australia.

Mr Deputy Speaker, this motion is about much more important issues than saving a few thousand dollars in printing costs which are attributable to this Assembly. This motion is about presenting this Assembly with the opportunity to clearly demonstrate its concern about the depletion of the world's resources and to take a lead, at least in some small way, in contributing to their preservation.

As all honourable members would well realise, an extraordinary amount of paper passes across our desks in the course of a year's sittings. We each receive the Daily Hansard, the Parliamentary Record and copies of the numerous departmental and statutory authority reports which are presented to this parliament. We each receive copies of every piece of legislation introduced into this Assembly. In addition, we each receive reams and reams of other seemingly important and necessary pieces of paper.

I am not saying that any of the aforementioned publications is not important or necessary for the proper conduct of this House and the good government of the Territory. However, the sheer volume of paper required for a House of 25 members is absolutely staggering. I dare not imagine the total amount of paper consumed by the combined parliaments of Australia. If the situation in this House is any indication, that amount of paper would lead to apoplexy among the members of conservation groups in this country. The print run of our Daily Hansard is 125 copies. That is for restricted distribution only. The print run of the Parliamentary Record is 500 copies. To whom all those are delivered, I can only guess. Surely the departments, libraries and educational facilities which take delivery of those records could be equally well served by electronic means.

The annual reporting requirements placed by this Assembly on the various instrumentalities of government are unarguably proper and necessary and their free availability to the general public is one of the building blocks of democracy. However, in terms of popular appeal, they could hardly be rated alongside the latest Tom Collins or Frederick Forsyth novels. Despite that, at least one department demands an annual print run of 3000 copies of its annual report. It is either an extraordinarily popular department or one whose annual report writer has such literary skills that its report makes excellent general reading. I have looked in vain for an annual report which could be described as entertaining in any way and what one Northern Territory department could possibly do with 3000 copies of its annual report is certainly beyond my comprehension. I might add that even the reports of the Public Accounts Committee do not reach such heights of popularity. Annually, the Government Printing Office consumes 460 t of paper or 19 300 reams of paper the same size as the piece which I am holding. That is without taking into account all of the government printing which is done by private enterprise on contract.

All members of this House are acutely aware of the need to preserve and more economically use the earth's limited resources. The rate of renewal of forests is falling behind the rate of deforestation to an alarming degree. The ratio is 1:10.5 in America, 1:29 in Africa and 1:4.5 in Asia. At the current rates of consumption, it is unlikely that forest resources will be able to meet demand much beyond the turn of the century.

It is as plain as the nose on Barry's face that we cannot continue to consume timber products, including paper, at the current rate. It is patent nonsense to suggest that paper recycling can do anything other than delay the inevitable. In excess of 30% of Australia's so-called new paper stocks come from recycled fibres. The use of unbleached 100% recycled paper is merely pandering to one's own public conscience. The fact remains that we must reduce the total use of paper until such time as annual crops provide the bulk of our paper products. It is easy to stand in these comfortable surroundings, some kilos overweight, and lecture third world countries about the depletion of forest resources. It is beholden on the industrialised nations to ensure that those nations currently relying on forest products for large parts for their foreign currency earnings are provided with the means of redirecting their efforts.

Fortunately, advances are being made. I would like to cite an article which appeared in the New Scientist of 13 January 1990. Mr Speaker, with your forbearance, I will quote it at some length because I believe it will be of interest to members of this House. The article was written by Professor Ghillean Prance:

Charles Peters of the New York Botanical Gardens Institute of Economic Botany and Alwyn Gentry and Robert Mendelssohn of the School of Forestry of Yale University recently published in Nature the results of a survey that shows the huge potential of products in intact forest. Peters and his colleagues made a detailed valuation of the marketable products in a hectare of rainforest at Mishana near Iquitos, Peru. Their study site contained 275 species and 842 trees with a diameter of 10 cm or more. Of these, 72 species or 26.2%, represented by 350 individuals, yielded products with a possible market value in Iquitos. The 11 species of marketable fruit could yield an annual crop with a value of $650 which would cost $250 to transport to market, leaving a profit of $400. Rubber latex yields $50 minus $28 in expenses, or $22 in profit; and selective logging of timber could yield a net revenue of $310 per cutting cycle. The net present value of the forest at Mishana is $6820 per hectare. This is compared with a net present value of $3184 for the monocultural plantations of Gmelina aborea at Jari forestry project in Brazil, and of $2960 for a good Amazon cattle pasture. Even those of an economic disposition point to the logic of extractive forest which could earn so much more than the schemes that deforest the areas.

A challenge to science and industry today will be the development of new products other than timber that can be extracted from the forest without felling and that will have a reasonable market price in developed countries. One pioneer in the search for such new commodities is Jason Clay, an anthropologist who is Director of Research and Cultural Survival, an organisation based in Massachusetts that campaigns for the rights of indigenous people. Clay is working with several companies to develop new cosmetics, ice creams and sweets from sustainable products of the rainforest. When I met Clay on a visit to Brazil last August, he gave me a suitcase of Amazonian scents and cosmetics to take to the Body Shop, a British company, for product development. Clay's efforts are beginning to pay off. In the US, Ben and Gerry's Homemade Ice Cream has just launched its latest flavour - Rainforest Crunch, made with Brazil nuts and cashew nuts collected by people living in the Amazon. In Britain, I am working with the company called The Food Business and with an ice cream maker to make rainforest products.

One of the ways to preserve the biological diversity of tropical rainforests will be to harness it rather than to preserve it in untouchable, biological reserves. Reserves must always be given a high priority but, ideally, they will be surrounded by areas where people can harvest the plants and perhaps some of the animals.

If it can be shown to those who rely on forests for their daily living that those forests are of greater value where they stand rather than stacked on library shelves, we will have gone a long way to preserving those forests. Australians can be proud of the efforts made in this country in terms of better use of forest products and the development of alternative fibres.

In another New Scientist article of 10 February, that esteemed journal advised its readers of an American initiative to supply the wood pulp market. The Kenaf Paper Company of Texas is investing $US40m in a mill that will be capable of turning out 84 t of newsprint daily. That mill expects to be in production by 1991. In view of a debate yesterday, I thought the following quote from that article would be amusing to some members:

The plant is often mistaken for marijuana because of a superficial resemblance between the leaves of the kenaf plant and those of marijuana. The Latin names of the 2 plants also bear a similarity. The US Department of Agriculture claims that anyone who begins to plant kenaf often finds that a fair amount of illegal harvesting will occur during the first year of their crop.

I also have here an Australian invention known as Scrimber. This is a hardwood substitute made from pulped soft woods, timber forest thinnings and other like material. It has exactly the same properties of hardwood but at a much lower cost, and it is made from easily renewable resources.

Mrs Padgham-Purich: It is not particle board?

Mr PALMER: No, it is not particle board. The inventors and manufacturers of this product are at great pains to point out that it is not particle board. It is truly a structural hardwood replacement. It was developed by John Coleman of the CSIRO in about 1975 and worldwide patents are held by Australians. This particular sample is made out of radiata pine, but any of Australia's native gums, other easily renewable trees and other plants can be used in its production. It is another product that can go a long way towards preserving our forests and the heritage of this planet earth.

In closing, I would say that it is incumbent on us as leaders of the community to show a lead. If in some small way this reference and its subsequent report can make a contribution to the preservation of the planet or at least a reduction in the amount of paper we receive, I believe it will have served its purpose.

Mr LEO (Nhulunbuy): Mr Speaker, I will be brief in supporting the motion. I cannot think of an organ of government which does not have the capacity for electronic transfer. Even in the very far-flung regions of the Territory, most departments and offices have access to some sort of electronic transfer equipment. I know that equipment is now being installed in our electorate offices and I think it is a ridiculous waste of such assets not to utilise them much more than we have in the past.

The use of paper in parliament is a very traditional aspect of our existence. Hard copies of material generated within parliaments are part of a very traditional approach. I suspect that, ever since a gentleman called Hansard sat down in the House of Commons, it has been accepted that paper and paper products were the best means of communicating the business of governments and parliaments. However, I think that we now have the technology to do away with that tradition, if not in toto at least in part. We certainly have the hardware, although some software programs may need to be generated. I believe that it behoves a committee of this House to at least examine the relative costs of printing information or transferring it electronically, to determine whether or not electronic transfer would be cheaper than shipping around what the member for Karama referred to as boatloads of paper.

Sometimes I wonder how many pine forests must have been through this House in the 10 years during which I have been a member. If there is a good, reliable way of circumventing that, I believe ...

Mr Perron: Do not talk so much.

Mr LEO: I do not talk very much in this House. However, what I say is relevant and pertinent.

I believe that the action proposed by the member for Karama should be examined by this House. Whilst I would not presume on the finding or the proceedings of any committee of this House, I would ask the Publications Committee to pursue this matter as speedily as possible. Members will be aware that the new Parliament House will incorporate many features which have been incorporated in the new federal parliament house in Canberra. Electronic transfer is part of those features. I believe that electronic transfer will be used increasingly in parliaments throughout the world, not only in the Northern Territory. If the Publications Committee came down with findings suggesting the increased use of electronic transfer, I am sure that they could be easily incorporated into the workings of the new Parliament House. The opposition supports the motion.

Mr SETTER (Jingili): Mr Speaker, I rise to support the motion, not only as the member for Jingili, but also as Chairman of the Publications Committee. I think that the motion is admirable and I am sure that all members of the House will give it their support. There is no doubt that there is an enormous mount of excess printing of a whole range of documents, not only formal reports. At the end of an average day in this House, the rubbish container which I share with my honourable colleague is virtually chock-a-block with paper. Where does it go? It probably goes to the shredder and, from there, to the dump. Perhaps one of the most obvious aspects of this whole exercise is that we need a recycling program established by government to deal with all the wastepaper emanating from government departments. As the major employer in the Northern Territory and by far the major consumer of paper, we are admirably placed to develop a recycling program and become involved in it.

Mr Speaker, I hasten to point out that, from time to time, the Publications Committee reviews the number of documents over which it has direct control. For example, the stationery requirements of members are reviewed on an annual basis, as is the number of copies of Hansard which are printed. About 12 months ago, we reviewed the number of copies of the Hansard which are printed in its various forms and the quantity was reduced quite considerably. Certainly, it is a matter which needs to be examined from time to time as an ongoing exercise.

The motion suggests that the matter should be referred to the Publications Committee 'for inquiry and report'. There appears to be no time limit on the process and therefore one assumes that it would be completed within the term of the current parliament. I am quite sure that my fellow members of the Publications Committee would be quite enthusiastic about being given a task such as this. Whilst the committee fulfils a very important role in the processes of this parliament, one could hardly say that its task is particularly onerous or time-consuming. If this motion is passed, the committee will at long last have something to sink its teeth into and I think that is a very good thing indeed.

One matter does concern me a little. As we proceed to establish additional committees within this parliament from time to time, particularly committees which have specific charters such as that set out within this motion, additional staff resources will be required. I know that Assembly staff are already quite stretched and their time is in great demand. Certainly, Mr Speaker, I intend to consult with your good self, and perhaps the Clerk, to assess the scope of this particular reference and to ascertain whether sufficient resources - and I am talking about people - are available

to assist the committee in carrying out the role which the member for Karama envisages for it.

Motion agreed to.

MOTION
Health Services in Central Australia

Mr BELL (MacDonnell): I move that:

(1) this Assembly, pursuant to section 4A of the Inquiries Act, resolves that a board of inquiry, consisting of 3 persons recommended by the Executive Council, be appointed to inquire into and report by 14 August 1990 to the Administrator in general on the roles and interrelationship of government and non-government primary, secondary and tertiary levels of health care in central Australia and the communication between those sectors and levels necessary to ensure appropriate continuity of patient care and, in particular, to inquire into and make recommendations where necessary with respect to:

(a) the structure and function of regional administration in the Department of Health and Community Services and the involvement of non-departmental personnel in the development and implementation of departmental policy;

(b) the administrative structure of the Tennant Creek and Alice Springs Hospitals with particular reference to:

(i) general administration, medical administration and nursing administration;

(ii) the reasons for high staff turnover and shortages of staff in the hospitals;

(iii) the adequacy of staffing levels and allocation of positions;

(iv) the training and employment opportunities for Aboriginal people within those hospitals; and

(v) the cultural appropriateness of hospital services and policies;

(c) the function of the community-based health services vis-a-vis the public health system and the communities in which they are based;

(d) current specialist services to the central Australian community, including an evaluation of which services should be provided locally, and which should be available on referral to tertiary centres;

(e) the need for a complaints process for consumers of health services; and

(f) the need for an ongoing administrative process to identify shortcomings and unprovided health services

which involves both departmental staff and community-based health service staff; and

2. of the 3 persons recommended to constitute the board, 1 be a nominee of the government; 1 be a nominee of the Community-based Aboriginal Health Services of Central Australia; and 1 be a legal practitioner of 5 years standing and admitted to practice in the Territory.

Mr SPEAKER: Before the member for MacDonnell speaks to his motion, I would like to make some comments. I advise honourable members that, in view of the coronial inquiry being held relating to the recent death of a woman in Tennant Creek following an operation in Alice Springs and, in view of the fact that there is a possibility that the matter may arise in debate, I have given consideration to the question of the sub judice status of matters before a coroner's court.

May's Parliamentary Practice states that the 'sub judice rule ... also applies to matters before a coroner's court' although, in certain instances, the Speaker of the House of Commons has allowed such matters to be referred to in debate. The object and intent of the sub judice rule is to forestall parliamentary debate from prejudicing proceedings in a court or in quasi-court proceedings. Proceedings in coronial courts can lead to prosecutions or, more importantly, as I understand it, such courts can make findings tantamount to exonerating persons.

The Northern Territory is a relatively small community. In my view, this makes it imperative that, in coronial court proceedings which have such potentials, there should be no possibility that they could be prejudiced by debate in parliament. I therefore will not countenance reference to that matter in this debate. Should any attempt be made to raise the matter, I will take appropriate action.

Mr BELL (MacDonnell): Mr Speaker, I seek a clarification of your ruling. Are you referring only to the inquest into the death of Peggy Dawson?

Mr SPEAKER: Yes.

Mr HATTON (Health and Community Services): Mr Speaker, I presume that your ruling would apply equally to other matters which are the subject of coronial inquiry.

Mr SPEAKER: That is quite right.

Mr BELL: Mr Speaker, I wish to make one further comment in respect of your ruling before I speak to my motion. As you have indicated by your ruling on the coronial inquest into the death of Ms Peggy Dawson subsequent to her being a patient at the Alice springs Hospital, the matter has been the subject of a great deal of sensitivity to her family and the community in Tennant Creek. Obviously, it has been an issue which has been a precursor to the motion which I have moved. I make those comments to indicate to you, Mr Speaker, that because of the sensitive nature of that inquest, I will be doing whatever is in my power to have that inquest carried out as soon as possible. I think that it is appropriate in this context for me to advise honourable members that I will be using my best offices in that regard.

Mr SPEAKER: The member for MacDonnell, speaking to the motion.

Mr BELL (MacDonnell): Mr Speaker, I have moved this motion in respect of an inquiry, not only because of the publicity which surrounded the call for an inquiry by the Anyinginyi Congress which delivers a health service in Tennant Creek, and the Central Australian Aboriginal Congress which delivers a similar service in Alice Springs, but also because of a number of issues which have come to my attention and a general attitude which pervades current public debate and public concern about the range of health services available not only to the Aboriginal community but to the broader Territory community, particularly in the Centre.

I have restricted the terms of this motion to central Australia because I do not believe that it is appropriate that inquiries be any broader than they need to be. I hope that an inquiry of this sort will provide not only the sort of access to decision-making and appropriate administrative processes that I think is necessary but will also go a considerable way towards restoring morale in the Department of Health and Community Services and the confidence of the broader community.

I draw the attention of the minister and all other honourable members to the recent comments in the Centralian Advocate by the newly-appointed Medical Superintendent of the Alice Springs Hospital, Dr Ross Peterkin. Dr Peterkin is well known personally to me, and may be well known to other members of this Assembly. I have a great deal of confidence in him. I had a good relationship with his predecessor, Dr Peter Bradford, whom I understand has taken up a position in northern Victoria.

The comments made by Dr Peterkin soon after he took up his position are one of the strong reasons for seeking this inquiry. When the medical superintendent of the hospital and the regional director of the department have to make public statements about these issues - and in the case of the regional director, they have been frequent public statements - I believe that an inquiry of this kind is an appropriate approach.

When this proposal was first put forward, I had to be convinced. I had a number of concerns which, as I said, I will outline later. But, on the basis of the initial news reports that I heard from the Anyinginyi Congress in Alice Springs, I had to be convinced that the call for the inquiry was necessary. The issue was raised a fortnight ago today, and I was most surprised when the minister's reaction was to say that this call for an inquiry was a political stunt. I believe that it is that sort of response which has made this party unfit for government in the Northern Territory. I will read the response of the Minister for Health and Community Services, as contained in his media statement which was issued on 13 February 1990. It said:

> The Minister for Health and Community Services, Steve Hatton, said calls for an inquiry into health services in central Australia were an ALP-inspired political stunt. 'We have been aware for some time that independent health services in central Australia were going to start an organised campaign in conjunction with the ALP to launch an attack on the government health services'.

And so it goes on. It is extraordinarily rabid stuff, Mr Speaker, even by the minister's standards. Having heard that, I had a meeting the following Friday with officers of the Aboriginal congress in Alice Springs, and I had a number of telephone conversations with Ms Chris George, who is the Director of Anyinginyi Congress and Dr John Boffa, who is a medical practitioner employed by the Congress. I received a deal of material

relating to correspondence between the minister and the Congress and I was satisfied, on that basis, of the need for an inquiry.

Mr Speaker, I do not have to refer to the particular case that has been ruled as being beyond comment in this debate because of the application of the sub judice rule. The fact is that the raft of material that was presented to me convinced me, as it should convince the minister, that an independent, open inquiry is necessary in the terms which I have proposed.

Mr Speaker, before I turn to the terms of the motion, let me refer to some of the material presented by Anyinginyi Congress in particular. Ironically, most of this material was contained in a letter sent to the minister on 7 November 1989. As an indication of the extent of the bad faith of the minister in accusing these people of some sort of ALP-inspired plot, I will read the first paragraph of the letter, which is addressed to Hon Steve Hatton, Minister for Health and Community Services.

> Dear Mr Hatton,
>
> Congratulations on your appointment to this very difficult portfolio of Health and Community Services. We look forward to a fruitful working relationship with your department and invite you to visit Anyinginyi Congress when you are in Tennant Creek.

That first paragraph does not exactly smack of political plotting or a desire to see the minister as an adversary, and I think that paragraph alone gives the lie to the outrageous allegations made by the minister last week about the nature of these complaints. The letter went on:

> The main problems include the lack of employment of Aboriginal people within the public hospital system, leading to a relatively hostile, foreign environment in which Aboriginal people feel powerless and threatened; the lack of adequate communication with Aboriginal patients and their families; the lack of a discharge policy which would incorporate special measures designed to counter the above problems rather than simply allowing large numbers of seriously-ill patients to discharge themselves; the lack of services for disabled people in central Australia; and the lack of understanding of many health professionals of primary health care and community-controlled health services, leading to misunderstandings and communication barriers. We would like to illustrate these points with 8 tragic case histories.

Mr Speaker, I will not go through each of those cases in detail, but I will make this material available if any members are particularly keen to see more detail. The first case concerns a young, disabled Aboriginal woman suffering from cerebral palsy who died as a result of many years of neglect, both in the community and in hospital. This was indeed a tragedy. The circumstances of this woman led her to be hospitalised when she was in a very weakened state. Incidentally, I appreciated the opportunity to be briefed by the department in respect of its treatment of this particular woman. In its letter to the minister in November, Anyinginyi mentioned that this woman had died, in its view, as a result of neglect both in the community and in the hospital. The concern about treatment received in the hospital stemmed from the fact that a decision was taken to cease treatment. I understand that, subsequently, a particular member of the family expressed the concern that consultation with the family prior to the cessation of treatment had not been adequate. The family member felt that the family had not been sufficiently informed about the circumstances

surrounding the cessation of treatment and the subsequent death of the unfortunate disabled Aboriginal woman. I believe that some explanation should be forthcoming. I cannot say whether or not a coronial inquiry is justified and I do not have a view on that, because I am not closely aware of all of the details. However, I believe that it is appropriate that the matter be the subject of inquiry by the process I have suggested in this motion.

The second case outlined in the letter is the story of an Aboriginal man from one of the outstations who died in Tennant Creek Hospital following a head injury for which he could have been transferred to a major centre. The young man, admitted unconscious on Friday night, was believed to be severely intoxicated. When he failed to regain consciousness the next day, his family was consulted and it was learned that the young man had suffered a significant head injury. He developed pneumonia and, by Sunday morning, was in considerable respiratory distress. During the day, he continued to deteriorate with worsening arterial oxygen levels. The congress understands that requests were made to incubate and transfer the young man to a major centre and that these requests were ignored. Early on the Monday morning, more than 48 hours after his original admission to the hospital, another patient had to be transferred and the young man was able to be included. Unfortunately, he died at the Tennant Creek Airport waiting for the aeroplane but still not incubated.

Three other cases, which have already been the subject of debate in this Assembly, have been causing considerable concern in Tennant Creek. Three disabled Aboriginal people suffered as a result of a lack of appropriate services and an apparent lack of consultation with family and other carers. That related to the grim circumstances of those people who were transferred to Alice Springs Hospital. Basically, a psychiatric patient in Alice Springs Hospital set upon one of these patients and the patient then had to be transferred. There were 3 cases in that regard.

A seventh case relates to the situation of a 55-year-old Aboriginal community leader who died earlier this year from acute renal failure. He was sent from Tennant Creek to Alice Springs Hospital for investigation and management of acute renal failure which was thought to be due to infective endocarditis - a potentially reversible condition, I am informed. I will not go through all the details of his treatment in Alice Springs. He was returned to Tennant Creek with acute renal failure and the several days he spent in his camp obviously contributed to that illness. This allowed him to deteriorate to the point where he was close to death on arrival in Adelaide. He died approximately 2 months later in Adelaide as a result of renal failure secondary to infective endocarditis. Anyinginyi comments that the delay in his treatment may indeed have been critical.

The final case that I wish to draw to your attention, Mr Speaker, is the story of a 35-year-old Aboriginal man who died following a liver biopsy in Alice Springs Hospital. There are genuine concerns about that particular death. I believe that no coronial inquest has been conducted in that regard. Subsequently, an internal investigation of those concerns was carried out by the then Chief Medical Officer, Dr Edgar. I am concerned that, 3 months after the letter was sent to the minister, that investigation has yet to allay the concerns of the Congress in that regard. I believe that that, in itself, constitutes grounds for an inquiry.

Let me mention one other case. I refer to the case of Sally Bartlett, a young woman who was known to me. In fact, I made representations to the coroner when she passed away because of concern in the Yulara community

about her death. Basically, Sally Bartlett died of pneumonia. She was admitted to Alice Springs Hospital at midnight after presenting at least a day earlier to Dr Paul Cotton at Yulara, who had her evacuated to Alice Springs Hospital.

Mr Hatton: After what period of time?

Mr BELL: I remind the honourable minister that I did say that Dr Cotton had been caring for her for about a day before she was evacuated.

Mr Hatton: In the clinic.

Mr BELL: Some of that time was in the clinic and some of the time was at her home. It may even have been longer than a day. The fact is that the clinic was providing primary care. One would have expected secondary care to be provided at the Alice Springs Hospital. She presented at the Alice Springs ...

Mr Hatton interjecting.

Mr BELL: Stop interjecting. I only have 5 minutes. Are you going to give me an extension of time?

She was taken into the hospital at about midnight. She was not admitted to intensive care and x-rays were not taken. She was phobic about needles and that contributed to the difficulties in treating her. Her situation deteriorated at about 5 am and she died in intensive care at about 7 am. I had seen her less than a month before as a fit young woman. It was an absolute tragedy which caused a great shock, as the coroner found. What I want to know is why the minister has not bothered to make any public statement about the recommendations of the coroner in that particular case. I refer the minister to the comments made by the coroner, Denis Barritt. He said, in respect of the x-ray availability:

> I am not convinced that the doctor's decision not to have the x-ray taken before morning had not been affected to some degree by the unofficial policy concerning requests for after hours x-ray examinations.

In that particular inquest, coroner Barritt said further:

> The ability of a person apparently acquiescing to conducting a radiology department over lengthy periods of time with only half the required number of trained radiographers may be more validly questioned than the conscientious endeavours of resident medical officers attempting to treat patients according to the best of their skill and ability. I am left in some considerable disquiet as to the accuracy of claims that, in all appropriate cases, after-hours radiology would have been available to patients during the period under question in this inquest.

It is exactly those circumstances which encourage people to believe that there is a cover-up. That is the reason why I am moving for an open inquiry. There is a dramatic lack of faith in the Territory health system. The fact is that the minister has to agree to an inquiry such as this. We do not want an adversarial inquiry which soaks up loads of taxpayers' funds, and provides a field day for lawyers. What we want is a committee, as I suggested in the terms of this motion, made up of 3 people: a government nominee, presumably from the department; a nominee from the community-based

Aboriginal health services; and a legal practitioner of 5 years standing and admitted to practise in the Territory so that such a practitioner would have some understanding of Territory circumstances before he took on the position. I believe that, with the wide array of cases which I have mentioned, such an inquiry is appropriate.

Because my time is running out, Mr Speaker, I am unable to refer to the case of Pattie Meade and the extraordinary runaround she received from the department of Health and Community Services. Her case was well-publicised and the subject of an item on the 7.30 Report, basically because of her tenacity. Let us bear in mind that Pattie Meade was a nurse employed by the Department of Health and Community Services, a well-educated and tenacious woman. I am here and the opposition is here for the poor beggars in the Territory community who are not able to put their arguments forward as forcefully and as determinedly as Pattie Meade was able to.

Mr Speaker, I foreshadow another opposition initiative: the setting up of a complaints unit within the department to obtain, on an ongoing basis, some clear understanding of the way these issues are dealt with. Such problems are characteristic of departments which deliver health services, because they have to balance the services against the dollars spent. There is no doubt about that. This inquiry and the opposition complaints unit initiative, which I will lay out in more detail when the time is available to me, are the types of approaches which the government should be taking.

DISTINGUISHED VISITORS

Mr SPEAKER: Order! I draw the attention of honourable members to the presence in the gallery of Mr David Prowse, MLA, Speaker of the Legislative Assembly for the Australian Capital Territory. Mr Speaker Prowse is accompanied by the Clerk of the Assembly, Mr McRae, and Mr Campbell, Principal Parliamentary Reporter of the Commonwealth parliament who is currently an adviser of that Assembly. On behalf of honourable members, I extend to Mr Speaker and his officers a warm welcome and hope their stay in the Northern Territory will be a pleasant and informative one.

Members: Hear, hear!

Mr HATTON (Health and Community Services): Mr Speaker, the matters and allegations which have been brought before the House are quite serious and need to be considered properly. I intend to deal with the motion moved and the points raised by the member for MacDonnell seriatim in order to put this entire matter into context.

It is a fact that one must be judging whether the services being provided in central Australia are adequate and appropriate for the needs of the community, to the extent that it is reasonably possible to provide medical and community services in central Australia. Nobody would deny, and I certainly do not, that any organisation has problems. The issue is what the organisation does when problems arise, how it addresses those problems and corrects them so they cannot happen again. Nobody would deny that any organisation, any health system, any health service in the world can be improved. All you need is money and expertise, and a great deal of both. You can continue in an ever-increasing cycle, increasing the standard and quality of services.

Whether we like it or not, the inevitable decision must be made as to what is a fair, reasonable and appropriate level of service and about the back-up systems which can be provided within reasonable bounds. It is

always a difficult question, and it is always possible for any member to argue that he or she thinks the government has not gone far enough. Others might argue that, in some areas, things have gone too far. Generally, however, the argument is that there are inadequacies in any area of service. It is an ever-increasing cycle of demand.

I do not think that is wrong, but we need to understand at least that we are facing a process of ever-increasing demands for quality and, equally, we must recognise that, whether we like it or not, limited resources are available for the provision of government services and balance needs to be provided. In the provision of those services, we accept and recognise that we need to look at the issue of quality and the organisational approach needed to ensure that resources are applied as efficiently and effectively as possible. I intend to expand on that, and to bring to the attention of the Assembly what is being provided in central Australia by way of health services, to outline the philosophy and approach behind what we are doing and to indicate where we are going in the development of health services.

I must say, Mr Speaker, that the Leader of the Opposition seems to think that I have become a 'histrionic rabbit' - I think that was the terminology he used - and have been perhaps a touch paranoid in my reaction to the calls for a public inquiry. If the honourable member will sit down, he may be able to listen in more comfort.

Mr Speaker, in order to fully understand the issues, including the matters raised in the letter from Anyinginyi Congress, it is worth while considering the series of events which have occurred since I became Minister for Health and Community Services on 3 September last year. Since then, I have visited Alice Springs on 2 or 3 occasions, meeting with people in the Department of Health and Community Services as well as the Conservation Commission and a number of the community organisations, including the Central Australian Aboriginal Congress and the Tangentyere Council. I have met the Central Australian Rural Practitioners Association, CARPA. I have met with the Nurses Federation on a number of occasions. In Tennant Creek, I have met with Anyinginyi Congress and Julalikari Council and the people at the Tennant Creek Hospital. Obviously, I have met with people in the community service areas as well as people in the conservation areas, as part of the process of familiarising myself with my portfolio responsibilities and briefing myself on the issues as they are perceived in the community. I have met with organisations to discuss their concerns and aspirations and to obtain a focus on where we should be going.

In all of those discussions, I must say that nobody expressed the concerns which appeared in the form of the public call for an independent inquiry except the Anyinginyi Congress and, I think, the Teachers Federation, with whom I have not met because I do not happen to be responsible for education. Those organisations called for an independent public inquiry in respect of one particular death, which is the subject of a coronial inquiry. The circumstances surrounding that death were raised in my discussions with the Anyinginyi Congress in Tennant Creek, which took place only a week prior to the call for an independent public inquiry. I explained that I believed that the coronial inquiry was the appropriate mechanism for inquiry into the circumstances surrounding that death. That was supported by Anyinginyi. No other request for a public inquiry was brought to my attention.

The member for MacDonnell referred to a series of specific cases brought forward by Anyinginyi Congress. I had received a briefing from Dr Edgar in relation to those cases and, in meeting with Ms George and the Anyinginyi

Congress, I made an offer for the Chief Medical Officer to go to Tennant Creek to meet with the full congress and fully explain the exact circumstances of those cases, to answer any questions people wished to ask in order to settle the matters, and to identify any other issues which needed to be addressed. I made that offer very specifically and it was accepted. No further issues were raised. Does that sound like a department or a minister trying to cover up? Does that sound like somebody trying to be uncooperative? No, it does not. It sounds like an organisation and a minister trying to deal properly and openly with serious concerns in the community. And what did I get in response?

All the organisations I had spoken to were happy with where we were going. I must say that all of them were pleased to hear me say that my department had already commenced a complete review of rural health services, involving regional departmental representatives who were already meeting to plan for expansion and looking at how we can improve rural health services, particularly Aboriginal health services. They are looking at how the department can move into preventive health measures and deal with some of the environmental health issues. The organisations were pleased to hear that we want to work with the Aboriginal communities in doing that. We asked them to participate with us in the development of that policy, and they expressed pleasure and appreciation of what we were seeking to do. All of those organisations, including the Central Australian Aboriginal Congress, Anyinginyi Congress, CARPA, and the Julalikari Council, said that it was a good idea. The Nurses Federation was aware of it. However, once I had walked out of the room, they were calling for an independent public inquiry and demanding that I do what I am doing already.

I think that the method which they wish to use to deal with the various matters is fundamentally ineffective in terms of meeting the real objectives. I might say that we are not simply looking at carrying out a review in respect of rural health services. We are also working on re-motivation in the department, drug and alcohol services, mental health and disability services throughout the Territory, and a number of other areas. In the community service areas, we are looking at how we can achieve more cross-flow in the work and achieve more effective approaches. Particularly in the welfare area, we are looking to see what we can do to deal more effectively and more sensitively with some of the concerns which have been expressed. All of those processes have been commenced since September-October last year.

No secret has been made of the fact that there has been a reorganisation at the senior level in the department. A new Chief Medical Officer has been appointed, together with 2 new deputy secretaries, Dr Quadros and Dr Gee, who work to Dr Plant. This new senior group in the health area of the Department of Health and Community Services is providing enormous input and having a great impact on policy development and direction. That is flowing through, and enthusiasm and drive is growing in those areas of the department.

The community services area has been strengthened with the appointment of Mr Chard as deputy secretary, and Mr Donnelly as the new assistant secretary. That area is also being tightened up and is moving forward. In the regions, the executive committee of the department has been tightened up and is now operating as a very effective unit. We have focused strongly on addressing the issue of central office and regional operation. The department is regionally organised, and there have been some difficulties in the formation of the new department in the balancing of roles between the

regional and central offices. Those difficulties have been resolved during the last 3 months and effective coordination is now occurring.

There is a new policy development coordination unit at central office, which is forming policy development groups involving regional representation, including the Barkly region. Although it is not technically a region in terms of departmental operations, it is important that the Barkly area generally, including Tennant Creek, be specifically represented in the process of policy development because of the particular community and environmental factors which apply in that area. That is why I have insisted that the region be represented in policy development groups. In that way, we are forming a departmental policy which will be administered from the central office, but which will give regions the discretion to implement it flexibly in the context of regional circumstances. That is how policy development is occurring. The new approach is resolving issues of concern which previously led to conflict between central office and the regions, and it is now starting to work very effectively.

That is the context in which this call for an independent public inquiry has arisen. The people who made that call had been made aware of everything which was occurring in the department. However, we were told in January that the federally-funded independent services intended to run a campaign against the Territory health service. It is a fact that there are questions about the role of those independent health services and the funding which they receive. There is a move, through ATSIC, to form a separate medical system for Aboriginal people and there is resistance to that among federal health officers who believe that it is appropriate to have a composite and comprehensive health system. It is true that Ms George was involved in the process of formulating a policy for a separatist health system in Australia, through ATSIC. It is also a fact that Ms George seeks to gain by way of improved operations, funding and organisational development if the ATSIC separatist health system eventuates. We were advised that she considered that the best way to achieve that was by discrediting the public health system.

Mr Speaker, I reacted to that. I reacted to the dishonesty of the approach of those concerned. A week after face-to-face discussions were held, they went behind my back, suddenly saying that everything was a disaster, that they did not want to talk to us and that they wanted some independent body to carry out an inquiry. I do not apologise for my reaction. I think that it was highly justified under the circumstances.

I will deal with individual cases one by one, beginning with Sally Bartlett. I knew Sally Bartlett. I had met her some time ago. I had not seen her for some time and her death affected me quite deeply. There have been many concerns surrounding that tragic death. A coronial determination has been made and, whilst blame was not attached to the hospital, questions such as those referred to by the member for MacDonnell were raised in respect of radiology services. It was suggested that there was an inhibition on people asking for radiological services after hours. I think that is what the member for MacDonnell was referring to.

I can advise, as has been stated publicly, that new radiological services are in place at the Alice Springs Hospital. These include CT scanning and mammography services. We also took action to ensure that there was no doubt in the minds of medical personnel that there is free access to 24-hour services. Statistics have been collected on the use of the new radiological services, including X-rays, ultrasound and CT scans. During January, there were 245 ultrasounds, 29 CT scans and 27 mammograms.

The figures for the same period in 1989 were 868 X-rays and 171 ultrasounds. Clearly, there has been an increase in usage of the facilities. A similar trend was evident in figures for October 1988 and October 1989 even though the CT and mammogram facilities were not in operation at that time.

Usage levels have increased and there has been a public announcement that the services are available to the community. There has been no need for me to make a public statement on the findings of the coroner. I am sad about the death of Sally Bartlett, as we all are, certainly in respect of any suggestion in terms of the availability of radiological services at the hospital. Procedures in the hospital have certainly been clarified to ensure that any difficulties have been overcome.

I find it difficult to deal with individual cases, Mr Speaker. I am happy to do so because the member for MacDonnell read out the particular points put forward by the Anyinginyi Congress. Let me say that the member for MacDonnell, at my instigation, was offered a full briefing on any concerns which he may have in relation to health issues. Such a briefing was made available to him on Monday. Any information was available. He was able to ask any questions he chose of our Chief Medical Officer. I was not there, but I am advised that he sought information particularly in respect of the young disabled lady in Tennant Creek. I do not know of any other matters.

I feel that it will not be particularly beneficial to say that this happened or that happened and to debate those matters back and forth. That will not address the real problems. There are other situations. These are covered in the reports and I do not wish to hide them from individual members. The Chief Medical Officer offered to go through those matters in detail with the Anyinginyi Congress.

Mr Bell: The offer was from you.

Mr HATTON: Yes, the offer was from me, that the Chief Medical Officer would speak to Anyinginyi Congress and the offer was from me for you to have a briefing. That is correct.

Mr Bell: Yes, and I did.

Mr HATTON: That is right. I appreciate that.

Mr Bell: And I was not convinced that there still ...

Mr HATTON: You did not ask all the questions you could have asked in relation to matters which you have chosen to comment on here.

Mr Bell: No. They are not questions which can be settled here.

Mr HATTON: Mr Speaker, that is a very good point. There are matters which can be settled, however, if the relevant medical officers get together and sort them out. There is no question of hiding anything. I would not have been so open in offering to send departmental personnel to meet with Anyinginyi Congress personnel if I wanted to hide anything. I must say that I was somewhat less inclined to do so after the behind-the-back approach adopted by the congress. I am very conscious, as I know the medical profession is also very conscious, that one of the doctors at Anyinginyi is in conflict with the medical people at Tennant Creek Hospital about suggestions of possible breaches of medical ethics which have been the

subject of correspondence between the hospital and that doctor. Equally, I am trying not to involve myself in such matters unless people want me to push them further. We thought that matter was resolved and put aside, at least for the time being. We prefer to keep it that way because we genuinely wish to develop a constructive working relationship with these organisations. At the same time, they must be prepared to be open, honest and constructive in their dealings with my department.

The motion calls for a public inquiry under the Inquiries Act. It proposes that a board of inquiry be set up, with 1 government nominee, 1 legal practitioner and 1 nominee of the independent health services. I presume that refers to the independent health services which have been subject of the concerns, being Anyinginyi Congress and the Central Australian Aboriginal Congress, rather than any of the significant number of other independent health services, many of which are funded by the Northern Territory government. I am not quite sure why a legal person is required on the board or what qualifications such a person would have to deal with matters of medical administration, but that is a matter for the honourable member opposite.

Are there matters which would justify a public inquiry under the Inquiries Act? Are there allegations of a cover-up of gross mismanagement involving a gross dereliction of public duty? I maintain that there are allegations of concerns about medical procedures which are the subject of dispute between medical professionals and are being resolved without any cover-up. Have there been any allegations of a miscarriage of justice? No. Have any of the rights or liberties of people been trampled on? No. Public inquiries of the nature proposed have a place in our system of government. That place is not dealing with the essentially administrative matters which are raised in the honourable member's motion.

We might reasonably ask why a public inquiry has been called for. Is the honourable member trying to address a number of problems which he believes that he has identified? I have addressed those matters. He is now aware that we have been addressing them directly with the organisations concerned. We have not been covering them up. Rather, we have been trying to have them dealt with by medical professionals, which is how they should have been dealt with.

I will say here, in respect of the investigation initiated by Dr Edgar, that at that stage he was fully aware of the fact that he was returning to take up a registrar's position and not continuing in the Chief Medical Officer's position. He had no personal or organisational reason to feel that he needed to be constrained in the investigation. I can assure honourable members that absolutely no constraints have been, or would be, placed on any investigation.

The review of services is being carried out in a professional and comprehensive manner. We will examine all of the issues which confront us in pursuing our goal of reducing the gap between the indicators of health and social well-being among Aboriginal people and those of the wider community. We will consult with and involve Aboriginal people in their communities in the course of the review. We will do this in a professional and appropriate way, treating the people with whom we are dealing with respect. If our current review indicates that there is a need for a different or upgraded system, then proposals will be developed and improvements will be brought in.

Is the system falling to pieces? Is the allegation of widespread concern justified? I should mention that the current ratio of complaints to services provided is 1 to 3500. Last year, 2 Alice Springs journalists spent 3 months advertising for complaints from the community. At the end of that time, they had received 21 complaints covering a 10-year period. All were referred to the Ombudsman, who refused to investigate them. Three were followed up by my department because there appeared to be some validity to them.

My department is aware that there is a low level of complaints from Aboriginal people. We are also aware that one reason for this level may be that Aboriginal people are not comfortable with the current system. We do not deny that. The views of Aboriginal people and the considered view of the independent organisations will be valuable and, of course, most welcome. Yet again, an inquiry would be nothing more than a waste of valuable and scarce resources.

The call for an inquiry has apparently ignored a number of recent developments and significant features of the health services in central Australia. Let me briefly provide some examples. In mental health services, staffing in Alice Springs has increased by 100% to 32 in just over 2 years. A secure recreation area adjacent to Ward 1 has been created, which allows easier management and a better standard of care for psychiatric patients. A rural mental health service has been developed with a community psychiatric nurse regularly visiting communities and visits by a psychiatrist as required. There are now regular visits by mental health team members at Tennant Creek. A psychiatric day program has been established on the Alice Springs Hospital campus. A psychiatric registrar position has been established.

I now turn to the Alice Springs Hospital. In order to locate and deal with the sorts of problems which exist in any hospital, the regional director acted as the Chief Executive Officer of the hospital for 4 to 5 months recently. As a consequence of that, there has been a review of the organisational structure. A senior Alice Springs medical practitioner has now been appointed as the Medical Superintendent and an experienced health administrator has been seconded to establish a CEO position as a permanent part of the senior management. The new manager of the hospital will continue to address problems raised by the Aboriginal community in a realistic and sympathetic way, particularly focusing on the contribution of the community liaison team. The regional director directed that Alice Springs Hospital set up a continuity of care mechanism to involve the Central Australian Aboriginal Congress over a year ago. CAAC speaks highly of this today.

Departmental staff are in close consultation and liaison with the Central Australian Aboriginal Congress in Alice Springs and other influential groups, in the process of developing policy and strategies to deal with alcohol and drug abuse. A joint strategic plan is being formulated.

In the area of communicable diseases and epidemiology, a high level of cooperation has been achieved between government and independent health organisations. Resources have been reinforced by the appointment of 2 highly experienced medical personnel in Alice Springs. I remind honourable members of the events late last year with the outbreak of meningococcal meningitis. Briefings were provided to honourable members on the quick response that was made. On that occasion, for the second time in a row, the Northern Territory communicable diseases people were actually

alerting their interstate counterparts to the outbreak which we believed emanated from beyond the borders of the Northern Territory. Because of our mechanisms, we were able to activate the necessary procedures earlier than our interstate counterparts and to advise them of what was occurring so that they could start taking the necessary protocols and actions to follow through. It was an excellent response.

A rapid response was made to a problem with 4 cases of tuberculosis in Alice Springs. This involved additional staff, in-service courses, videos, computerisation of data and, where appropriate, chest X-ray services. Renal dialysis facilities are in place, together with services which are far more sophisticated than those which would normally be found in an area with a similar population. These services are predominately for Aboriginal people. I will not go into further detail, but I can do so if honourable members wish to ask questions at a later time.

Major support has been given to the Menzies School of Health Research which has established a central Australian presence. Staff of this institution are investigating aspects of Aboriginal ill-health which should lead to more effective treatment. A number of research projects are under way, well supported by the department.

Close liaison has been established between the Alice Springs Hospital and Alukura, the Aboriginal Women's Health Centre, with each referring patients to the other in appropriate circumstances. The level of goodwill is high. I also met with Alukura during the course of discussions in Alice Springs.

As I mentioned, the radiology service has been expanded with the installation of CT scans and mammography. CT scans are particularly important for Aboriginal people because of the high rates of trauma and accidents. Where a CT scan is possible with a head injury, it can indicate clearly whether a person needs to be transferred from Alice Springs.

There was close monitoring of a meningococcal meningitis outbreak in October-November 1989. More than 6000 doses of vaccine have been given in rural areas since late 1988 plus prophylactic Rifampicin, which are medications to stop people contracting meningitis. Most places in the world would envy our ability to mobilise these intensive and expensive resources.

Training of Aboriginal health workers has been substantially upgraded with the development of an accredited certificate in health services. Aboriginal health workers will still be trained locally, but will now be brought into the education system. Their qualifications will be recognised throughout Australia and their levels of skill and expertise will be lifted.

Those are some of the developments which have occurred in central Australia in recent times, and I have not dealt with the new X-ray facilities in the Tennant Creek Hospital and other development programs which are in place or are in the process of being put in place, or the health centres which we referred to in the budgetary process. Members can refer to those themselves. That is what we have done recently. We also need to look at exactly what is provided generally by way of services in Tennant Creek. Sometimes independent services take a fairly narrow view of what is provided. In the public health system, by necessity, the government has to keep a very broad perspective in relation to concerns in the community. It has to balance its resources to try to provide equality of access to health services as far as that is possible in the system and in the process of decision-making. We have a surprising number of facilities

in comparison with areas with similar population densities elsewhere in Australia, and we need to be aware of that.

We provide 39 full-time doctors at Alice Springs Hospital alone, a hospital which services a population of about 40 000. These doctors include physicians, a paediatrician, an obstetrician and gynecologist, an anaesthetist and an orthopaedic surgeon. A psychiatrist is due to commence duty in April. In addition, there are registrars and residential medical staff. As well, in the community, there are government community medical officers, a communicable diseases doctor, and district medical officers. Further, there are the private practitioners and, of course, the doctors employed by the Commonwealth-funded health services. What is more, we employ dentists and allied health professionals ...

Mr SPEAKER: Order! The honourable minister's time has expired.

Mr HARRIS (Education): Mr Speaker, I move that the honourable member be granted an extension of time such as would allow him to complete his speech.

Motion agreed to.

Mr HATTON (Health and Community Services): Mr Speaker, the medical and nursing staff at Alice Springs Hospital ...

Mr Bell: That is extraordinary.

Mr Harris: Don't you want to hear?

Mr Bell: I moved the motion, Tom.

Mr SPEAKER: Order!

Mr HATTON: ... is excellent for its size. Despite the fact that it is a very difficult task to compare hospitals and staffing, we have compared the Alice Springs Hospital with similar institutions in other places. For the benefit of honourable members, I table a matrix of services and facilities which are available in hospitals in the Northern Territory, as a basis for comparison in terms of the availability of specialist services.

Alice Springs Hospital has a better ratio of registered and enrolled nurses per 100 beds than similar hospitals in Broken Hill, Derby, Kalgoorlie, Mt Isa, Warrnambool and Whyalla, which are the comparable areas we looked at. It has a better ratio of full-time medical officers than any of those hospitals and, even combining the full-time hospital and medical staff and local visiting medical officers, Alice Springs has a higher ratio of doctors per 100 beds than other hospitals. For instance, when compared with a similarly isolated but smaller hospital, such as that at Derby in Western Australia, Alice Springs has more than twice the number of doctors per 100 beds and twice the number of registered nurses. I recognise that such comparisons have their limitations but they give an indication that central Australia is very well resourced in comparison with other areas with similar population densities. There are very good reasons for many of those resources being applied but I am saying that, when we look at the resources, facilities and services provided, Alice Springs and the central Australian region are well serviced.

There is a range of factors which may influence the development of a health service. For example, to allow more people to be treated in their own country, and due to the travelling time to either Adelaide or Darwin, an

extensive range of specialist services exists in Alice Springs. A well-designed and developed health system meets the identified needs of the community which it serves. However, there are great difficulties in making comparisons between hospital services in different areas because of the differences in age, racial groups and health problems. It is also difficult to compare the effects of private practice and staff positions. For instance, the Alice Springs and Barkly region has a comparatively high level of staff specialists and locally available specialist services as compared with, say, Kalgoorlie Hospital. Kalgoorlie has no staff specialists and relies on private specialists, general practitioners with particular skills, and specialists who travel from Perth.

Alice Springs Hospital alone, among a range of comparable hospitals in the states, obtains visits from specialists such as a endocrinologist, a paediatric-cardiologist, a specialist in spinal rehabilitation, an adult and paediatric neurologist, a rheumatologist, a urologist and a dermatologist. Tennant Creek Hospital has no resident specialists and receives regular visiting specialists services. It is used as a feeder hospital to Alice Springs in the same way that Katherine and Gove feed the Royal Darwin Hospital.

The pattern of illness and injury is also a major factor in determining the method and type of service developed. The provision of health services to a relatively widely-scattered population, living in small communities, with a high proportion of preventable and sometimes severe illnesses, requires a different system to that of a closely-settled community with a high level of education. The community health system relies on Aboriginal health workers and community nurses, supported by district medical officers, aero-medical services and hospitals. In that sense, the process in terms of curative health services is carried out through the health workers, the bush nurses, the DMOs and aero-medical services. It is possible, no matter where they are located, for people to work their way through the process, at government expense and to eventually obtain the world's top specialist services. It is not bad for a small community of 160 000 people to be able to pick somebody up from a small outstation in the middle of the desert and, if necessary, to move them through a system which enables them to be placed in a major medical centre in a major city with the world's top specialist services and facilities available to them. That is not a bad service to provide as a baseline to think about.

The argument is whether you want to have the services in the community or whether you develop a system that gets the patient to the service. Do you take the people to the service or the service to the people? That is where you really have to draw a balance between money and resources in deciding the extent to which you push for services closer to where the people are actually living. However, here in the Northern Territory we do provide access to any medical service available to people. That is not bad.

Mr Speaker, the priorities are to prevent ill-health by: immunisation against diseases such as hepatitis B, rubella, polio, whooping cough, diphtheria and tetanus; providing maximum ante and post natal care, together with family planning information; promotion of a healthy environment and lifestyle; and providing rapid expert treatment for trauma. We are not resting on our laurels. We keep the level of services under constant review and we seek constantly to identify and address needs. I have spoken here today about the processes which I have set in train in the last few months to review and refocus our directions in developing health services. I must say it is as if the cork has been drawn from a bottle of energy within the department when one observes the drive which people are showing in the

processes which I have mentioned. That drive exists despite the fact that some of the public criticisms which departmental staff and the organisation itself have been subjected to in recent times make it difficult for people to maintain their enthusiasm for the task at hand.

Services at Alice Springs Hospital were reviewed in 1986 by Professor Boughton and the matters raised by that review have all been addressed. I might say again that the Alice Springs Hospital is an accredited hospital. It is a teaching hospital and it is going through the processes of accreditation again. The process of accreditation ultimately is the appropriate mechanism for determining the appropriateness, quality, and standard of services available through a hospital system. That process will be occurring again in 1990, a far more effective method of dealing with these issues than, for example, getting a lawyer and a couple of people from the community to form an inquiry. Mr Speaker, ours is the appropriate way to deal with the issues.

The departmental review will take into account all physical facilities in central Australia, including the Barkly and Tennant Creek areas. Every community health centre, every building and every facility has been documented by an independent firm of architects. Recommendations have been made on what needs to be done to maintain, upgrade or improve those facilities. They form the basis of our forward works planning in the development of physical facilities at Alice Springs Hospital, our rural health services at Tennant Creek Hospital and any of our community services facilities in the central Australian region. Such initiatives are not characteristic of an organisation which is not doing any forward planning. We are well advanced. I would suggest that, in comparison with other health services in Australia, we can hold our heads high in terms of the work that we are doing.

Recruitment and retention is an ongoing matter which needs to be addressed. I do not intend to dodge that question because it is certainly raised in this motion. There is a difficulty in maintaining a sufficient core of expert and experienced health and medical specialists. It is possible to attract specialists. However, it can be very difficult to retain them after they have achieved a level of experience with the technology available and with the patients who present. This applies particularly in some areas of specialist expertise. There is no denying that. We are constantly recruiting doctors to build up specialist services and the problem does not stem from want of money or desire. We must recognise that the market for such services is very competitive and this is not necessarily the most desirable of locations for people who can seek jobs in any major city in this country or overseas. I think that we have done an excellent job in providing the range of service which we have.

A common criticism of Territory hospitals is that there are staffing problems. In fact, clear staffing formulas are rigorously applied to all wards. It is comparatively rare that services are curtailed as a result of staff shortages. Staff turnover among nursing staff has been a matter of some debate. The turnover is in the order of 67% of nurses in the Northern Territory. That is our latest figure - the 1988-89 figure. The turnover rate is very high. I asked for specific information in relation to that data. That information shows that the turnover rate is nil above the level of registered nurse 4.1, 3.4% for registered nurses at the level of registered nurse 3A, 0.6% at the level of registered nurse 3B and 1% at the registered nurse 2 level. At the level of registered nurse 1, which is the level of newly-registered nurses, the turnover rate is 79.3%.

Mr Bell: What is the turnover rate for the whole system?

Mr HATTON: 66.7%.

Mr Bell: That is Mayday territory, Steve.

Mr HATTON: If the honourable member will listen, enrolled nurse turnover is 15.7%.

Mr Bell: You cannot justify that!

Mr HATTON: Mr Speaker, I am not seeking to justify it. If the honourable member would bother to listen, he would realise that I am seeking to explain it. There is a major turnover problem at the level of registered nurse 1, the newly-registered nurse. Nurses in that category tend to be young. They tend to move from hospital to hospital to gain experience. They comprise a significantly large section of the recruits to our nursing staff.

Members will be aware of the work that is occurring at the Northern Territory University in relation to training and educational programs to develop locally-educated nurses. That is designed to address that issue. I have asked for more specific analysis of the RN1 figures which are unacceptable and need to be addressed. However, we need to recognise that it is RN1s that we are talking about, not all nurses. For example, in very difficult circumstances last year in Tennant Creek, we were hiring agency nurses to ensure that we had nurses available in the hospital. These were in the RN1 category and were generally employed on 6 to 8 week contracts. There was an incredibly high turnover as a result. When I was in Tennant Creek some 3 or 4 weeks ago, I was advised that the hospital finally had no agency nurses. It had a fully recruited nursing staff at that stage. However, because the turnover there is high, we are constantly seeking to recruit nurses to meet the needs of that hospital.

We are aware of the problem. It is a significant personnel issue which needs to be addressed. At this stage, we rely principally on recruiting people trained outside the Northern Territory. As we start to develop nurse education in the Northern Territory and as we attract back into the work force trained nurses who are not currently working as nurses, we hope that the problem will be overcome.

We have agreed to conduct a review into nursing with the Australian Nurses Federation. There is a fair degree of consensus between the department and the ANF on the matters which should be considered in such a review. We would be happy to carry out a review as long as it also deals with work practices. We are discussing the terms of the review with the ANF at the moment. That review will be carried out comprehensively. It will be aimed at addressing the concerns which I have mentioned together with concerns which the nurses have and concerns which the hospital administration has. We hope to deal with any personnel or industrial issues which may be having an adverse effect on turnover and nurse morale in the Northern Territory health service. We are not trying to hide the problem. We are addressing it openly and honestly and with the appropriate organisation - the trade union which represents those workers in the system. I seriously believe that this review could address some of the causes of the current level of staff turnover.

Another question which needs to be addressed is the cultural appropriateness of hospital services and policies. Aboriginal people make

up the majority of the clients and patients of health services in Alice Springs and Tennant Creek. A high standard of clinical service has been and remains the first priority of these services. However, the need for cultural appropriateness of services is recognised. It is also recognised that some cultural requirements are not consistent with good clinical practice. There are difficulties in developing and maintaining services which reflect cultural needs to the greatest extent possible, although this is our aim. Further attention and development is obviously required. Involvement of the Aboriginal people in the process is essential. The organisations that have called for a public inquiry could and should be involved in that process. It would be of great value to have suggestions made for practical, clinically sound and perhaps even economically viable alternatives for further progress.

Mr Bell: I want an inquiry to establish that. I do not want a witch hunt.

Mr HATTON: Mr Speaker, the fundamental point that I am making is that, internally, we are already carrying out the proper management function of reviewing and revising all of the programs and services. We are reaching out to work with the community in that process. That process was commenced and communities were advised of it well in advance of any calls for an independent inquiry under the Inquiries Act. There is no justification whatsoever for this inquiry. It is a beat-up. If the organisations are serious about wanting to address these matters, they will join with us in working on the development of the services. The formation of a separate independent inquiry headed by a lawyer, with a nominee from the department and a nominee from the Aboriginal health services could be nothing but an adversarial process. By its very nature, it would have to be.

Mr Bell: Why?

Mr HATTON: What we are doing is working with the community. I maintain that our health services are very good but, like services provided by any organisation, they can be improved. We wish to work with Aboriginal people and the general non-Aboriginal community in the development of those services. We are asking the organisations to become involved. If they do not choose to be involved, that is their choice. We will proceed anyway. We aim to provide the services which they say we should be providing. In building these systems, we will continually review and update the services being provided in central Australia and the Top End.

Mr Bell: What forums are available at the moment for consultation?

Mr HATTON: Mr Speaker, I am happy to deal with that.

Mr Smith: Why don't you sit down and let somebody else have a go?

Mr Perron: He happens to be the minister.

Mr Leo: You wouldn't guess it from his speech.

Mr HATTON: Mr Speaker, it appears to me that I have covered an awful lot of the issues.

The department has a clear policy of consultation with Aboriginal people. This policy extends to cooperation and coordination with the Commonwealth-funded services. Formal intersectoral meetings are already convened by the department on a regular basis. We would like these to occur

every 6 months. They could be held more often but this has not been requested by the organisations. The Central Australian Aboriginal Congress in Alice Springs tends to prefer more ad hoc task-oriented meetings. For instance, a monthly continuity of care meeting is held involving hospital staff, community health staff and staff from Commonwealth-funded centres. Cooperation often occurs in specific issues. For instance, a regional strategic plan for alcohol and drug abuse services has been devised. This plan was jointly discussed and then developed by Congress to incorporate an Aboriginal point of view. This work is now being complemented by the further development of a non-Aboriginal component.

In dealing with communicable diseases, cooperation and coordination between the various agencies occurs frequently. That does not mean that we do not have conflicts or differences of opinion. We do. However, we are talking and have been talking and developing cooperation whenever possible. Cooperation does not resolve all problems.

Matters are raised by Congress representatives in Alice Springs from time to time which cannot be easily resolved. For instance, 2 principal complaints are, firstly, that PATS or Patient Assistance Travel Scheme funding should enable patients to obtain a second specialist opinion when this is desired and, secondly, that the NT government should provide extra funding to the independent services. If people wish to obtain a second opinion, there is nothing to prevent them doing so. However, people often do not understand that PATS funding is not unlimited. The Territory government has a responsibility to ensure that all those people who require a first opinion have access to a specialist. There will be no relaxation of that current policy. This lack of understanding is evident when Aboriginal organisations in central Australia argue that there is a strong need for a female obstetrician in the region. They believe that, where a woman demands a female obstetrician and one is not available, the patient should receive help under PATS to travel interstate. It should be noted that, in the Australian public health system, selection of a particular doctor in a public hospital is not possible. Further, providing PATS funds to send a patient to Adelaide would not necessarily achieve the purposes intended. There is a nationwide shortage of female obstetricians. I recognise that there could be a need for a female obstetrician but recent recruitment drives aimed specifically at obtaining a female specialist were unsuccessful. We do try, but sometimes the system simply cannot provide the people we need.

On the matter of financial assistance, the NT government would be prepared to fund the independent services completely, provided that all current Commonwealth funding for the services flows through the Territory government. The Territory government could then ensure equality of access to health services for all Territorians. Some funding does flow at the moment. For instance, the Central Australian Aboriginal Congress receives a grant of more than $100 000 under our Family, Youth and Children's Services Program. This grant funds a family support team which works in Alice Springs town camps. Another $46 000 is provided under the HACS program for employment of a community access worker. The Territory government also made a grant of $37 000 to Anyinginyi to employ a community worker to help Aboriginal people access government services.

However, the fact that these independent services receive direct Commonwealth funding appears to be a major deterrent to our cooperative efforts. The independent services have developed a culture in which they set themselves apart in the Territory health system. It is worth while in

this context to briefly consider what we mean by independent or community controlled health services.

The Commonwealth fully funds a number of organisations, primarily in central Australia, including the Central Australian Aboriginal Congress, Anyinginyi, Urapuntja, Mutitjulu, and the Pitjantjatjara Homelands Health Services. Some of these organisations, notably Kalano, receive partial funding from the Northern Territory government. Some of these organisations have developed a high public profile by the development of conflict with my department. We do not hear of conflicts, however, from the 12 independent services that are fully funded by the Northern Territory government. In addition to these 12, we also fund and partially fund such organisations as Catholic Missions, which operate health services in a number of communities.

One aspect of the review now under way will be the consideration of methods by which communities can exercise the level of control which they desire over their health services. We do not believe that the 'all or nothing' approach is necessarily in accordance with the needs and aspirations of Aboriginal people. This will be a major topic of discussion in the consultation which is to occur in the process of the review which I have already started.

The review will also consider the role of all independent health services. In this consideration, I trust that we will be joined by the Commonwealth, which is itself concerned about the role being taken by the services which it funds. The Department of Aboriginal Affairs has in fact written to my department asking for our assistance in such a review. For the information of the House, I am prepared to table the letter which we have received from DAA referring to that particular matter.

From time to time, there are difficulties in cooperation and coordination with the Commonwealth-funded centres. Unfortunately, most of these occur in Tennant Creek where the attitude of the service concerned does not support the development of a positive relationship. The recent calls for a public inquiry raised a number of issues although the organisations have not provided any basis for their allegations about the shortcomings of the system or any details to support them.

Before any realistic assessment could be made about the need for an inquiry, I sought to establish the nature of the specific problems which are perceived to exist, and the role and purpose of an inquiry. I have therefore written to each of the organisations which supported the call, asking them to contact the secretary of my department. They will be able to discuss the matters which they wish to raise directly with senior officers. Assuming that their call was genuine rather than a political exercise, the organisations should have been able to provide details in direct discussions with senior departmental officers. The only response which I am aware of to date from any of the organisations came from Jurnkurakurr Aboriginal Resource Centre in Tennant Creek, which wrote a letter to a local district medical officer apologising for having been wrong in the allegations which it had made in respect of non-provision of services in outstation areas. I have a copy of the letter and I am happy to make it available.

The most significant aspect of these allegations has been that, yet again, departmental officers have felt the impact of an unsubstantiated public assault on their credibility. I am happy to say that my department and the people who work for my department in central Australia provide a good service. They are dedicated and professional people who go out of their way to deliver quality, competent health services. They work hard,

often in their own time, to try to develop mechanisms to further improve that service. They do not deserve the sort of continuing harassment which they have been subjected to, not only recently but for a number of years.

The officers I am speaking about have to put up with frightening circumstances. I was inclined to refer to the extent of assaults, verbal abuse, spitting and so forth. Security measures have had to be put in place in both Alice Springs and Tennant Creek Hospitals because of assaults and abuse of staff by patients. Such circumstances affect the morale of our people. However, they continue to work on developing services. If anyone would like me to present evidence of what I have just said, it will take 2 minutes to find the relevant material. It is quite disturbing. I am sure that the member for Barkly would be very conscious of the security measures which had to be implemented in the Tennant Creek Hospital to protect the nurses, and the controls which had to be imposed on visitors entering hospitals in order to protect medical staff inside hospitals and entering and leaving hospitals. Such circumstances have been the cause of a significant morale problem.

The officers of my department in central Australia are doing an excellent job. The government is backing them. I am not going to stand by and watch unsubstantiated allegations go unchallenged. If people want to make allegations, let them put up concrete evidence. Let them work with us to develop the services. If they work against us, they are working against the provision of services to the community. They are undermining the very people who are working so hard to help the community.

Mr TUXWORTH (Barkly): Mr Deputy Speaker, before I begin my comments, I would like to refer to the Speaker's decision not to allow any discussion on the matter of a lady who passed away recently as a result of a medical procedure. Sir, I understand and accept the reason for that decision and I concur with it in many ways. Regrettably, however, that decision will just be seen as a perpetuation of what is perceived in the community to be a political cover-up. I will leave it at that.

Mr MANZIE: A point of order, Mr Deputy Speaker! I believe that the comments by the member for Barkly constitute a reflection on a decision made by the Speaker and pre-empt the results of a coronial inquest which is yet to occur. I think that they are entirely out of order and I believe that the honourable member should be required to change tack.

Mr TUXWORTH: Mr Deputy Speaker, speaking to the point of order, I have never heard so much rubbish in my life as has just come from the mouth of the Attorney-General. Sir, I was not reflecting on anything which the coronial inquiry might do. I was simply expressing my view in relation to the Speaker's decision. I will expand on that by saying that Pettifer explicitly refers to the fact that, where a continuing public interest is involved in the use of sub judice requirements in the House, the Speaker may take that into account and allow the matter to be discussed. In this particular circumstance, a continuing public interest does exist. I will not press the matter. I will leave it at that and just say that I have some difficulty with the Speaker's decision.

Mr DEPUTY SPEAKER: I find that the member for Barkly was not reflecting on the matter before the Chair. However, in speaking to the point of order put by the honourable minister a moment ago, I believe that he did reflect on the decision of the Chair. However, there is no further point of order and, as long as the honourable member restricts his remarks to the motion before the House, that will be appropriate.

Mr TUXWORTH: Mr Deputy Speaker, I believe that this debate was gingered by the remarks of the Minister for Health and Community Services just prior to the sittings, when he stated that the call for a public inquiry was an ALP-inspired political stunt and a beat-up being generated with the sittings in mind. That statement exemplified the crux of the problem, which is that the minister does not understand what people are complaining about. The people who have made complaints are not aiming their wrath at the personnel in the hospital. They are not aiming at the minister because he is new to the portfolio. They are saying that there are many problems in our health system and they want to see them fixed. They are not politically motivated. The concerns are not coming from only 1 section of the community. They are coming from right across the board. In my remarks today, I will raise a few issues which have come to my attention and which demonstrate that the concerns are widespread and genuine.

People are worried about what is happening to the health services. They do not believe the sort of things which the minister has been saying for the last 20 minutes about all the goodness that is coming out of the department. They would like to believe it, but they do not believe a word of it. All they are looking for is an opportunity to put their case in an environment in which they can be heard by somebody independent who will perhaps make recommendations which will rectify the situation so that they can get on with living their lives.

I will refer to a couple of the matters which I mentioned a moment ago, to demonstrate the situation that the health system is in. I have here a petition signed by 17 nurses. It concerns their treatment by a doctor in a hospital. Do you want to know why we have a 66% staff turnover in Tennant Creek, Mr Deputy Speaker? This situation continued for 9 months before these ladies took it into their own hands and put their signatures to this complaint. I know of no other instance in the Northern Territory where nurses have sat down collectively and signed a petition about the situation they had to tolerate at work. This matter was addressed, but what an extreme length people were forced to go to get some justice in their working situation. Those people were not politically motivated. They were simply caught up in a very unfortunate work situation which dragged staff morale to the deeps.

Mr Deputy Speaker, I will table a 2 page letter from Mrs Toni Coutts of McArthur River Station, who wrote to the minister about the deplorable level of health services in her area and in my electorate. I have written to the minister and his predecessor about the matter. Mrs Coutts' letter is not politically motivated. It contains good, balanced, commonsense reasoning about the difficulties.

Mr DEPUTY SPEAKER: Is the honourable member seeking leave to table that letter?

Mr TUXWORTH: Mr Deputy Speaker, I seek leave to table this and other documents as I proceed.

Leave granted.

Mr TUXWORTH: Mr Deputy Speaker, I will not go into the details of Mrs Coutts' letter except to read out a single paragraph:

> Eight years ago, there were 2 triple certificate sisters, 4 or 5 health workers and 1 vehicle in Borroloola, 6 weekly air-med visits to the bigger stations, the mobile dental service and regular

visits by various specialists such as the eye specialist, ear nose and throat specialist, and a much smaller population. Today, we have the same number of sisters, health workers and 1 vehicle, no air-med visits to stations, no dental service, less in pastoral property kits and a huge increase in the population.

Politically motivated jumping up and down? Not at all, Mr Deputy Speaker. Here is another letter, which I wrote to the minister on behalf of school councils. We were told that, if we were to have a dentist, we would lose the school dental therapist. After all the work which went into getting a school dental therapist, putting in the equipment and carrying out the program, the quid pro quo was that we could not have them both. What do you think school council members would say to a proposition like that, Mr Deputy Speaker? Their reaction was not politically motivated.

I will come to the Anyinginyi complaints. It is fair to say that they are emotive - probably because of frustration - as well as being detailed and factual. Most importantly, they seek a resolution of the problems. The people concerned know that there is bad blood between themselves and other Aboriginal health groups in the department. They are also smart enough to know that it cannot continue. They want to solve the problems. The recent press exchanges between the minister and the Anyinginyi Congress do not contribute much towards solving those problems.

Attached also to these papers are documents concerning a series of 8 cases in which Anyinginyi raised its concerns but did not receive responses which it considers satisfactory. Further, the whole issue has gained another perspective during the last 48 hours. One of the concerns raised by Anyinginyi related to the plight of 2 disabled people who were seriously injured whilst they were inpatients at the Alice Springs Psychiatric Unit. We have seen a front-page headline which says: 'Mental Health Dilemma. Alice Springs Bashings Hard to Prevent - Tyrrell'. I understand how difficult it is, Mr Deputy Speaker, but what chance does the minister think he has of getting Tennant Creek patients to go to Alice Springs when the reality is that they can be beaten up in bed and the health authorities simply state that there is no way of preventing it? I will enlarge on that by saying that there is also a perception that, if you go to Alice Springs, you do not come back. That is a very real problem which needs to be addressed, not just through an internal inquiry but in a very impartial way.

I do not want to go into all the business about who says this and who says that and who is right and who is wrong. There are some problems between the organisations which need to be sorted out. I would hope that one important result of an independent inquiry - and I mean independent in the sense that the person heading the inquiry would not be attached to the government or any other part of the health system - would be that people's complaints could be given an objective hearing. As a consequence of that, we might be in a position to identify where the money problems are, where the staff shortages are, where the personality conflicts are and where the professional jealousies are. We could then get somebody to help to remove all those obstacles so that people could get on with rebuilding the system.

Mr Deputy Speaker, I also have a letter from the Central Australian Aboriginal Congress to the Department of Health and Community Services. It contains complaints in relation to PATS. You can visit any corner of the Northern Territory and you will hear a complaint about PATS. I am not blaming the minister as an individual, but the fact is that PATS does not work well.

Mr Hatton: Only 2% rejected in the last 2 years.

Mr TUXWORTH: My Deputy Speaker, whatever figures the minister may have about rejections, acceptances and satisfied customers, I can tell him that the perception in the community is totally different.

Mr Perron: Probably because you are fostering it.

Mr TUXWORTH: Mr Deputy Speaker, to pick up the Chief Minister's comment, if anyone wants me to take up a complaint about a health matter, I ask them to put it in writing. I get a raft of health complaints.

In its letter to the department, Congress put forward what I thought was a reasonable, constructive approach to sorting out the PAT Scheme. The letter is dated 2 October and Congress maintains that the matter is still hanging.

Mr Hatton: It knows also that we offered to go there and talk. Were you told that? No.

Mr TUXWORTH: The minister interrupts. I do not mind, although I was happy to sit and listen to him in silence. The reality is that whatever he thinks is happening has nothing to do with the reality on the ground. Certainly, the complaints from the RANF, the NT Teachers Federation and the Miscellaneous Workers Union come from political organisations. They might be politically-motivated complaints but those organisations also have an interest in their own constituencies, just as I have and other people have. They have a responsibility to speak up for people and the fact that they do so does not make them politically-motivated activists.

I turn to a matter which has been raised in the House before - the Robbie Larsson case. The treatment which he received was so bad that we finished up getting a donation from the City Centre Traders to send him away to the psychiatric home in New South Wales which he wanted to attend. It did not work out. Young Robbie eventually came home. However, it was a pretty pathetic performance. We had to go through the process of raising a thousand dollars to send him away and we got the money from businesses in the Mall because the government could not find it.

The minister referred to the inquiries by 2 journalists in Alice Springs - Erwin Chlanda and Dave Richards. I have no idea what information they obtained. If the minister has acted on it, that is great. Again, however, the exercise reflects the community's attitude to the department and the services which are being offered.

What is perceived as the blunt refusal to hold inquests into the cases of Amy Jackson and Willy Peterson simply fosters the suspicion and the lack of trust which exists between the organisations. I would have thought that it would be in the department's interest to hold coronial inquiries in cases where people are pressing for that. Such inquiries would give the department a chance to say: 'That is what we did. The coroner said that we did what we should have done and anything which may have happened must be put down to whatever other circumstances existed'. In this situation, a large organisation is saying: 'We want these coronial inquiries because we are not happy with the explanations that we are receiving'. That organisation is being pushed aside. If we are ever going to get the health services to work on a basis of trust, these issues must be dealt with appropriately.

In his remarks on the case of Sally Bartlett, the minister said: 'Fundamentally, there has been a coronial inquiry'. I do not know about the 'fundamentally' but either there has been a coronial inquiry or there has not. Such things need to be cleared up. In the case of Sally Bartlett, there ought to be an inquiry and a coronial report.

In my closing moments, I will just come to the inquiry advocated by the member for MacDonnell. The honourable member's motion sets out the terms of reference of the proposed inquiry. I am not going to die at the post about how an inquiry should be set up, but I do hold the view that there is absolutely no point in having a witch hunt. That would not serve any purpose at all.

Mr Bell: Hear, hear!

Mr TUXWORTH: It would be a tremendous advantage if the person who headed such an inquiry was well versed in the administration of health and the delivery of services to people in remote areas and small hospitals. If somebody in that category could be found, it would be very helpful. In my view, an inquiry should involve the independent health services. They are not really independent health services; they are hooked into our health system like a baby on the nipple. There is nothing an independent health service can do which does not ultimately reflect in some way on the operations of the hospitals and the greater health service. The independent health services have an important role to play in cooperating and participating in the inquiry. The obvious objective of the inquiry should be to restore confidence in the community.

As I said earlier, it is no secret that there is bad blood between some of the independent health services and the Department of Health and Community Services. There is also an understanding among people working in both those areas that the friction has to come to an end, that the problems have to be solved, and that the 2 groups have to become much more professional in adopting a cooperative approach in pursuing their respective interests.

The minister referred to his grand plan and how the department is reviewing its operations. That is all very well. The departmental review is great stuff, but it will do nothing for public confidence unless people feel that they can get the dirty water off their chests. The minister should not be surprised that, as he moves around the Territory, people do not queue up to tell him of their complaints. There is a widespread feeling in the southern part of the Territory that it is better not to complain about health services because, if you do, you will get a hard time from the staff if you ever go into the system. That is why the minister may not be hearing some of the things he ought to be hearing.

There is an important aspect of all of this which needs to be considered. It is this. During the last 5 years, health services such as the Central Australian Aboriginal Congress and Anyinginyi have developed tremendously. They started from very small beginnings and they now provide a very wide range of services. They employ many people, and they have very large budgets. It is time - and I know that the people inside both of those organisations as well as inside the Department of Health and Community Services agree - that the 2 groups which are delivering health care to Aboriginals in particular should sit down and start to reassess the delineation of responsibilities and activities of the respective groups. At the moment, there are gaps in some areas and overlapping functions in others. In some cases, this causes friction. An inquiry, conducted by

somebody from outside the 2 groups, would go a long way towards making recommendations on how all these organisations ought to relate.

Mr Collins: But will they?

Mr TUXWORTH: Mr Deputy Speaker, the member for Sadadeen asks whether they will. I believe that there is now enough goodwill between the organisations and the department for people in each to realise that they must get together because the services are not being delivered in a way that everybody would like. There is no future in maintaining a combatant relationship in which the affairs of the organisations are conducted in public and, in some cases, by means of slanging matches. I support the motion for an inquiry simply because I think it will provide an opportunity to give good health care to people in central Australia.

Mr DEPUTY SPEAKER: I advise the member for Barkly that leave has been granted for the tabling of a letter from Mrs Coutts. That has not yet been handed to the attendant. He referred to other documents relating to school dental services, PATS, the performance of a doctor in a hospital and the Robbie Larsson case. Does the honourable member seek leave to have those documents tabled?

Mr TUXWORTH: I do indeed, Mr Deputy Speaker.

Leave granted.

Mr DEPUTY SPEAKER: The honourable member's time has expired.

Mr FLOREANI (Flynn): Mr Deputy Speaker, I rise to advise that I support this motion.

Members: Surprise, surprise!

Mr FLOREANI: Judging by the interjections, everyone is taking this matter lightly. I certainly am not doing so. For some unknown reason, the Department of Health and Community Services has been unable to come to grips with the circumstances it is in and, consequently, public confidence in the department is falling. I believe that that is the key to this whole debate. I would like to inform the Assembly of some of my own experiences in using health services provided by the Alice Springs Hospital. I have to commence by saying that the services which my family has received from the hospital over a number of years have been nothing short of excellent and I would like to highlight 5 different experiences which indicate that.

Firstly, our 4 children were born in the Alice Springs Hospital. The first was born 17 years ago, the second 12 years ago, the third 8 years ago and the fourth 4 years ago. The services at the hospital met all our expectations and I am sure that they were the equal of services provided anywhere in Australia.

The second experience relates to a combination of services from the private medical sector and the public medical sector in Alice Springs. About 15 years ago, a private doctor was uncertain about some symptoms shown by one of my children. He immediately rang Dr Hawkins, who was the Chief Medical Officer at the Alice Springs Hospital. We were in his office within half an hour. Some 2 hours later, the whole family was on a plane to Adelaide. The plane was actually held back for us. We consulted a top specialist in Adelaide, had a second opinion within half an hour and my daughter underwent a serious operation the following morning. I do not

think that anyone living in Adelaide could have received as good a service. When one considers that both private and public medical practitioners were involved, I think the services were excellent.

Some 10 years ago, another of my children had meningitis and was in the Alice Springs Hospital in intensive care for 3 weeks. We were most concerned. The specialist involved had contact with all children's hospitals throughout Australia. We had every opportunity to send the child south, but we felt that the services we were receiving in the Alice Springs Hospital were nothing short of excellent.

Mr Vale: And you support this motion.

Mr FLOREANI: Yes, I am supporting it.

Some 7 or 8 years ago, another child became ill. The private doctor spoke to a specialist in the Alice Springs Hospital. The child was treated in the hospital and then sent to Adelaide to be treated by specialists there. The treatment was excellent.

All these family experiences occurred prior to the last 3 or 4 years. We have not had occasion to use the hospital services during the last 4 years, but I believe that something has gone wrong. The only negative situation that I can recall in all those years concerned a lady with severe psychiatric problems. She became violent and had to be sent to the Alice Springs Gaol to be restrained. Those were barbaric circumstances which no longer exist in Alice Springs.

I believe things came to a head when Erwin Chlanda and Dave Richards advertised in the paper asking people to let them know about their complaints. Why would 2 senior journalists in Alice Springs undertake to do such a thing if there was no community concern? This is my biggest problem and the reason I support the call for an independent inquiry. The public perception is that things are bad, and rumours abound. The minister has heard the member for Barkly refer to a number of specific cases. The minister cannot simply sweep these things under the carpet. They are very serious matters. It appears that problems exist beyond the Alice Springs Hospital, in the rural areas and particularly in Tennant Creek. Certainly, the problems have had some impact in Alice Springs.

The concerns are widespread. Documents involving a dozen cases have just been tabled. Many different organisations, including political organisations, have asked for an inquiry. I do not think the minister can push all the problems under the carpet and pretend that they do not exist when public confidence is being eroded. Why doesn't the minister open the matter up and let people say what they want to say openly? I hope and expect that the Department of Health and Community Services would come out of it well.

It was announced recently that Dr Ross Peterkin has been appointed as the Alice Springs Hospital Medical Superintendent. That is a great move. The man is very highly respected in Alice Springs and much loved by many people. He has treated many of the patients there. His first public statement indicated that staff morale at the hospital is shocking and that he needs to address that problem. I would say that his next statement will probably be that he has to restore public confidence in the system.

There is no doubt in my mind about the professionalism of the doctors, the specialists and the medical staff. Their dedication to the Alice

Springs Hospital is equal to that of the staff of any hospital of that size anywhere in Australia. However, something is wrong. The minister has stated that there is constant unsubstantiated criticism and that morale is being eroded. What is he going to do about it? Isn't it obvious that he has to open up the matter by means of an inquiry? I fully support the motion.

Mr HARRIS (Education): Mr Deputy Speaker, I rise to speak against this motion, and I suppose that is no surprise to the opposition. I believe that the member for Flynn identified the heart of the problem. It has to do with perceptions. I do not believe that an inquiry of the kind proposed will in any way improve that situation. In fact, I think it will make it worse.

There are certain perceptions in the community which relate not only to health matters. I have recently been involved with perceptions concerning the supposed existence of an old boys' network at Groote Eylandt. I believe that the problem underlying such perceptions begins with us as members of this Assembly. In particular, I refer to comments made by members on the opposition benches and comments such as those which have just been made by the member for Flynn and the member for Barkly. Such comments erode confidence by offering nonsense to the community. People start to believe it.

The member for Barkly said that the Minister for Health and Community Services had spent 20 minutes talking about what the government had done. I think the words he used were: 'all the goodness that was coming out of the department'. He went on to say that, whilst what the minister said sounded nice, it really did not mean all that much.

In many cases, the Minister for Health and Community Services referred to facts, not things that were not happening. They were facts. There are other points. For example, a survey recently examined immunisation levels in central Australia. Children born in 1986 were surveyed and it was found that 95% of them had received their basic immunisations. Those children in that community are now immune to tetanus, whooping cough, diphtheria, polio and tuberculosis. That level of immunisation is exceptional by any standards. That sort of statistic is a fact. It is a demonstration of what has been happening and it shows that the efforts of the department over a long period of time have been very effective.

There is no question that there are problems, but those problems are being addressed. The Minister for Health and Community Services made that very clear. He has not swept things under the carpet, as the member for Flynn suggested.

Mr Floreani: I did not say that he had.

Mr HARRIS: It was a load of nonsense. The honourable minister has given a clear account of what is happening.

Let us look at a few more comments made by the member for Barkly. He mentioned a petition signed by 17 nurses. He mentioned only 1 petition, but I understand that there were 2 petitions, 1 for and 1 against. Why didn't he present the case fairly, putting both points of view? Why did he present only the view which matched the way he sees things? That sort of thing worries me. When we start to talk about inquiries, we are talking about perceptions. Listening to comments made in this Chamber, it is clear that they are inaccurate in many cases and need to be corrected.

The member for Barkly raised another matter which was really a nonsense. He mentioned that there was no aero-medical service in Borroloola. That is wrong and he knows that it is wrong. I am concerned that, when we talk about these issues, and when we debate matters here, many points can be answered. I believe that, if the appropriate channels are used, when contact is made with the appropriate minister, and when offers of briefings are taken up, many issues can be resolved very easily.

I note that the member for MacDonnell took up the offer of a briefing made available by the Minister for Health and Community Services. It is true that the honourable member was not satisfied with what came out of that briefing, but he can pursue those matters in the way that he sees fit. There has to be a level of cooperation and communication, and I believe that is one of the problems that we are having. There is a lack of communication. Some of the issues that are raised can be resolved very easily through consultation. It is often a matter of someone from the department going out to a particular community, having a look, and talking to the people who have raised a particular issue. In many instances, the result is that matters are addressed and resolved. I do not know why we do not pursue that line of thinking and try to improve those relationships. We can try to improve the consultation process which is so important.

The issues of health and education are sensitive and emotional. They are the essence of our whole social structure. It is a requirement of government to ensure that appropriate health and education services are provided in the various states and territories. I believe that one of the reasons why members of the opposition have moved this motion is that they believe that the mechanisms are not in place to monitor health services. They believe also that there is no mechanism for giving independent advice to government. I believe that is probably what lies behind the member for MacDonnell's decision to move this motion.

The Minister for Health and Community Services has spent a great deal of time and effort in addressing the issues within his portfolio. He is to be commended for the moves which are being made to improve the effectiveness and efficiency of his department, particularly through the review of services which is now taking place. He outlined some of the initiatives which are taking place. He mentioned the survey of assets and the importance of ensuring that assets are maintained. He spoke about the efforts which are being made to create greater opportunities for local people to be trained in the health professions. He pointed out that the Menzies School of Health Research was moving into the southern region, a move which augurs well for new approaches to health problems, particularly in Aboriginal communities.

Both the minister and I have made it clear that there are problems, many of which stem from perceptions. It is very easy for us to understand why there are problems. For a start, the Territory covers a huge area of some 1 600 000 km^2. Then there is the fact that 22% to 23% of our population comprises Aboriginal people, and they have tremendous health and social problems. We all know that. These facts are no secret. It is not necessary to conduct investigations in order to identify those problems.

We know what problems exist in many Aboriginal communities. There are social problems such as petrol sniffing and the overconsumption of kava and liquor. There are hearing impairment problems and problems with eyesight. These are very real issues in many communities. The government knows about them and is looking at doing something about them. Departmental officers spend a great deal of time travelling around those communities talking to

people and finding out what their particular problems are. I hope that members of the opposition would have some input into those processes, to give their ideas and views about what is required. No one is preventing them from doing that. An inquiry is not necessary in order to bring all of the issues to light.

Another factor which has a very important impact on the whole exercise of providing services is that of community attitude. The comment was made here today that it all comes down to a matter of dollars and that dollars are all that is really required. I go further. I say that there is more to this than dollars. It has a great deal to do with community attitudes. In many cases, we are being painted as the big ogre government which is responsible for what is happening in the community. That is a nonsense and the situation needs to be clarified. For example, in the case of Nyirripi School - a subject which I will be raising in another debate - it is important that the community be involved in the process of deciding what it wants and how the service should be provided. Perhaps that is something that will bite us because, in the case of Nyirripi, the school is full to capacity and indeed is overflowing. A larger school is needed. The community could have had an addition to the school last year, but it did not accept the offer which was made, indicating that it wanted to rethink the matter. We pulled back and did not put in the additional facility. Now people are carping about the school being overcrowded and saying that we cannot provide adequate facilities.

Those are the sort of problems that are real and they need to be addressed. The community has to be involved, and the government has made it clear that it wants the community to be involved in the decision-making process. We are not backing off from that, but we need to be sure that a community knows what it wants and that we are able to negotiate matters quickly so that we can reach and maintain an agreed position.

Cooperation is very important. Cooperation is needed not only from community governments but from the Commonwealth. Let us take the training of health workers as an example. I am happy for the Aboriginal Health Worker Program to be conducted through Batchelor College, but it relates to the issue of funding for higher education, an issue which has to be talked through with the Commonwealth government. There has to be a very real commitment in relation to ongoing funding for health workers attending Batchelor College. That funding is not locked in as well as we would like and that is an issue which we are discussing at present.

It is very important that those matters be addressed, and I believe that the government is doing that. It is not merely a matter of building this or building that. It involves a whole range of factors which are connected with community involvement ...

Mr Bell: You have run out of material, Tom. Sit down.

Mr HARRIS: Mr Speaker, there is a stack of material here. I said I would speak only for 5 minutes, but I want to make a final point and it concerns complaints. All hospitals have management boards and patient care committees.

Mr Bell interjecting.

Mr HARRIS: It is all very well for the member for MacDonnell to laugh, but there are processes in place and they exist in order to be used. Those patient care committees have the power to investigate the circumstances of

any complaint made by a patient or a relative of a patient. The committees are able to refer matters to hospital boards which have the power to refer matters to appropriate departmental officers, the secretary or ministers.

Mr Bell: Which committees are you talking about now?

Mr HARRIS: I am talking about the patient care committees. All hospital management boards have those committees, and you know that. They are available to receive complaints.

Also, complaints may be made to regional directors, medical superintendents, the Chief Medical Officer or the Secretary of the Department of Health and Community Services. If people have grievances which they wish to take up outside the department, they can approach the Ombudsman or the Medical Board, both of which operate pursuant to statutes. In addition, there is opportunity for people to take their concerns to members of the Assembly. Those members are able to bring such concerns to the attention of the government through the minister. In many cases relating to my portfolio, matters raised with me in that way have been pursued. In many instances, a considerable amount of time and effort is expended by many officers to ensure that those matters are able to be resolved in a satisfactory matter.

I do not believe that there is a need for any inquiry. The Minister for Health and Community Services has put the government's point of view clearly. He has indicated that a review is being carried out in relation to the services that are provided. The unions are involved in this exercise. He discussed staff turnover and spelt out a range of other difficulties. I could spend another 10 minutes talking about some of the concerns which the government has in relation to recruiting people with 5 years or more experience in the health professions. Such people are very difficult to obtain. A similar situation applies in respect of teachers. It is hard to obtain the services of appropriate teachers of mathematics and science, and that difficulty is experienced throughout Australia.

We would like to be able to attract people here to help educate our younger people in the nursing profession. A whole range of areas can be looked at. Many problems need to be addressed and I have touched on just a few. Perceptions are a major concern. I do not believe that an inquiry is necessary. I do not support this motion because avenues are available to address all of the matters which have been raised by honourable members today.

Mr Speaker, I repeat my request to honourable members that they make sure that their facts are accurate when they present information. It clouds the issue when a member presents a petition without mentioning the fact that there was another petition which presented an opposite point of view. Similarly, it is less than the truth to say that there is no aero-medical service at Borroloola. With those few words, I indicate that I do not support the motion. I hope that we will be able to work together to further develop the very good health services which we have in the Territory and that we will be able to look at the issues which have been raised here today in a sensible manner.

Mr COLLINS (Sadadeen): Mr Speaker, the Alice Springs Hospital is in the electorate which I represent. One is certainly concerned at what one reads in the paper, certainly when there has been a death. However, in my day-to-day dealings with the hospital over the years and when people have come to me with the odd problem, I have found ...

Mr Bell: Are you speaking, Noel?

Mrs Padgham-Purich: Aren't you pleased? You are not inviting me to, are you?

Mr Bell: Hospital is only a place to visit.

Mrs Padgham-Purich: That is right. You die when you go to hospital.

Mr Bell: And, when you are sick, you should be put down.

Mr COLLINS: Mr Speaker, if I have to shout to make myself heard over these people, I will do so.

I have always found the hospital administration most cooperative, and people have been satisfied with the answers which it has given. I believe that there have been occasions when problems have existed and, interestingly enough, most problems have been in relation to outpatient services, such as the amount of time taken to receive attention if X-rays and so forth are needed, particularly at weekends. In general, however, my experience, both as it relates to my own family and to other people, has left me with the highest regard for the services delivered to the vast majority of people who have cause to attend the Alice Springs Hospital.

Perceptions are important, and what the media says can sway points of view. However, it is not until you get inside the place and find out for yourself that you realise how good and how professional the staff are. It is possible to behave professionally whilst being as cold as ice in one's dealings with people. However, I have always found that staff of the Alice Springs Hospital display caring concern along with their professionalism. My experience belies much of what has been said in this debate.

I am well aware that the Central Australian Aboriginal Congress provides a health service in town and that many people use that service. Indeed, many of my constituents use it. I realise that there are certain frictions between the Congress and the Department of Health and Community Services, and that that will result in certain politicians raising their heads from time to time. It is all very well for such politicians to argue that there should be an inquiry to determine how people ought to behave. That is like saying that politicians always have to be nice to one another. I do not think an inquiry would achieve much in that regard.

I have had some contact with nurses and doctors who service the bush areas and I hold them in the very highest regard. I believe that we need to handle problems as they arise. I was pleased to hear from the minister's advisers that claims that coroners had not been allowed to do their job are nonsense. Because of the Coroners Act, the Department of Health and Community Services can do nothing to prevent a coroner inquiring into a death. We need to get the facts straight. Certainly, I agree with the member for Barkly that, if the department was able to interfere and did so, it would certainly bring great suspicion on itself.

I am sure that the best way of handling all problems of concern to the community is in an open-handed fashion - the way Helen Daff used to handle Giles House in Alice Springs. She had the genuine confidence of the community because anybody could visit at any hour of the day and be made welcome. One could not but admire the way she ran Giles House. That is the way it should be with problems as they arise from time to time in our health service. The death of any person is greatly to be regretted. In the cold

light of day, the circumstances need to be examined to determine whether there are procedures which can be sensibly applied to prevent such an occurrence in the future.

That has always been the attitude of the health service people with whom I have had frequent dealings over the last 10 years. I have always been impressed with their willingness to improve services and to tackle every problem which arises. I am not convinced that an inquiry would do anything to clear the air. It is up to the people in the town who use the services of the hospital. I am sure that, in their heart of hearts, they realise that their experience has been good. I believe that will balance the picture in the main.

I am not convinced that an inquiry would do anything to clarify the situation. As I understand it, the lowliest nurse has avenues by which she can have any grievances redressed. She has the opportunity for input into the system. That is the way it should be. While it is like that, I cannot see how we can do much better.

Mr BELL (MacDonnell): Mr Speaker, I am most disappointed that the government is not prepared to accept this motion to set up an inquiry in the terms that I have outlined. Its refusal to accept a more open process than these internal departmental inquiries to which the minister referred will fail to allay the concerns in the Territory community, particularly in the central Australian community, about the quality of services and the reliability of those services. The cathartic effect of such an inquiry would only have been beneficial and, in that context, a comment made by the member for Barkly is relevant. It is my belief that such an inquiry need not have been a witch hunt. The opposition put considerable thought into ensuring that the form of inquiry which we proposed would not become such a witch hunt. In short, I am deeply disappointed that the inquiry which the opposition proposed will not proceed.

I turn now to the comments made by individual members. In a very long, rambling speech, the minister made several points of interest, some of which I will pick up. He declined to comment on the complaints unit proposal which I put forward briefly in my speech. The member for Port Darwin referred to the possibility of referring complaints to various quarters within hospitals and within the department generally. In response to a couple of unobtrusive advertisements inserted in the public notices column of the newspaper by Dave Richards and Erwin Chlanda, a substantial list of complaints was brought to their attention. I think that there needs to be a formal process in this regard. The nature of health care services is such that there will always be people who are dissatisfied. I am not trying to say that a change of government will stop people complaining about the quality of the care they receive. What needs to be established is a much more public process than the current one for sorting out which complaints are justified and which complaints are not justified. That process needs to extend to setting up systems which change the circumstances giving rise to justified complaints. Whilst the Coroners Act requires a coronial investigation in certain cases, there are people who suffer at the hands of health services in the Territory who, fortunately, do not die. Such people may have justifiable complaints and be in need of redress.

The member for Barkly referred to PATS. The honourable minister will recall that he recently provided an answer to a lengthy question on the operation of PATS and I will be following that up in due course. I believe that, since the scheme was transferred from the Commonwealth to the Territory, there has been a dramatic increase in the number of complaints

about its operation. Honourable members will recall that, when the Territory took over responsibility from the Commonwealth for what had been known as the Isolated Patients Travel and Accommodation Assistance Scheme or IPTAAS, it became the Patients Accommodation and Travel Scheme or PATS. I may have mentioned in previous debates that the removal of the word 'isolated' sounded alarm bells with me at the time. It is incumbent on any government in the Territory to remember that, with respect to some medical procedures, the Northern Territory is still isolated. It is still isolated by comparison with some of the regional hospitals to which the minister referred. He referred, for example, to Warrnambool. Warrnambool is a little closer to a wider range of tertiary health services than is Darwin or Alice Springs.

I turn now to another issue to which the opposition is giving due consideration and I suggest that the government might like to take it on board. There needs to be a much more public statement of the services available and the basis on which they are provided in the Territory and also of those services which cannot be provided. Everybody is aware that, because of our small population base and our isolation, some services will not be available. However, the problem is that nobody is easily able to find out which these are. Under those circumstances and for those reasons, an inquiry is entirely justified. Such an inquiry might have taken a step forward in terms of people's understanding of what services cannot be provided in the Territory.

The Minister for Health and Community Services raised 3 questions which, he said, would have justified the holding of such an inquiry. The first question was: are there allegations of a cover-up or of dereliction of duty? He said there are no such allegations. The second question was: are there allegations of a miscarriage of justice? His answer was no. The third question was: are there allegations that the rights or the liberties of people have been trampled on? His answer to that was also no. I am afraid that, in respect of that question, my answer would be a resounding yes. The right of people to be part of a health system which is well understood and whose different parts are well coordinated is a pretty fundamental right. The evidence that has been raised in this debate suggests very strongly that at least that criterion of the minister has been well and truly justified. I am not satisfied that the internal processes which the minister and the member for Port Darwin talked about will address the problem adequately.

The honourable minister referred to a couple of internal inquiries to which I will refer briefly. He referred to the inquiry into the specific concerns raised by Anyinginyi Congress. He said that a review was proceeding under the Chief Medical Officer, Dr Edgar. I hope that the honourable minister will make some type of public statement about that particular review and the extent to which it satisfies the concerns which have been raised. I think that it is not unreasonable that the minister should table that report in this Assembly.

Mr Hatton: Oh, come on Neil!

Mr BELL: I suggest that the process of that review - contentious as it has been - needs and deserves the consideration of members of this Assembly.

The minister referred to a second review of which I was unaware. This was a review of the Alice Springs Hospital by Professor Boughton in 1986. I would be very interested to know about the process through which the various interested sections of the health care professions and the people involved

in the business of providing health care were given access to that review and its findings. I would like to know, for example, whether the community-based health care services were able to have access to the review report. I trust that the honourable minister will provide that information in due course.

The honourable minister referred to staff turnover figures and tried to apologise for them. In January, as a result of a newspaper article, I raised the matter of turnover figures in various departments. From memory, the article gave a figure of 44% for the Department of Health and Community Services. When I hear the honourable minister saying that the overall turnover rate among nursing staff is 66%, it is clear that the health service is in Mayday territory. That is absolutely disastrous! After hearing of the 44% figure, I contacted a management consultant firm in Melbourne. The name of the firm and the individual to whom I spoke escape me at present, but I would be happy to provide those details to the honourable minister at a ...

Mr Hatton: This is just irrelevant comment.

Mr BELL: I do not believe that you will find it irrelevant. This particular firm provides advice on a consultancy basis to both private sector and public sector organisations. When I ran the turnover figures past the gentleman to whom I spoke, his comment was: 'Those sorts of figures indicate that an organisation is in serious strife'.

Members of this House have a general idea of reasonable levels of turnover in public administration. I would not raise an eyebrow at a figure of 10%. I would start to worry about figures of 15% or 20%. For example, a figure of 20% for staff turnover in schools bothers me. However, figures of 44% across an entire department and 66% for nursing staff are extraordinary. Nursing staff are the basis of a hospital system as far as continuity and reliability of service are concerned. Without any of the accusations from Anyinginyi, that 66% turnover figure is sufficient for me to demand some sort of public inquiry.

Mr Hatton: Some sort of investigation.

Mr BELL: Indeed. I am surprised that, in the face of that, the minister can stand here in this Assembly and baldly roll off the figure. In fact, that figure provides an even stronger argument for him to support the motion before the House.

Mr Speaker, I do not believe that, at this stage, I need add any more comments to those made by the honourable minister. I believe that we have consummately established the case for this inquiry to be held. It is disappointing that the minister has not agreed to move in the terms which have been suggested. I strongly believe that the material which we have put forward would justify such an inquiry and I want to ensure the minister that I will continue to pursue these matters. I hope that the minister will address the issues by way of a statement in this House. Once again, let me place on the record my deep disappointment at the government's refusal to accept this motion.

Motion negatived.

MOTION
Federal Police Inquiry

Mr SMITH (Opposition Leader): Mr Speaker, I move that:

(1) if the Legislative Assembly is in recess when the results of the Federal Police inquiry into the allegations laid by the Deputy Chief Minister on alleged conspiracy between the Leader of the Opposition, the federal member and others, is made available to the Deputy Chief Minister, the Leader of the Opposition and the federal member, Mr Speaker shall, notwithstanding any previous resolution of the Assembly, appoint the Tuesday following advice of the receipt of the results as the next day for the holding of a sitting of the Assembly at 10 am, which day and time shall be notified to each member in writing; and

(2) notwithstanding anything contained in the standing orders, the tabling and consideration of the advice of the results of the inquiry shall be placed upon the Notice Paper for that day as business of the Assembly and shall be the first item of business of the day to be considered by the Assembly.

Mr Speaker, the terms of this motion are actually quite narrow. I certainly do not intend at this stage to debate the full Trade Development Zone fiasco which the government has been involved in during the last 2 weeks. The point of this motion is simply that, on Tuesday of last week, serious accusations were made in this House by the Deputy Chief Minister and Minister for Industries and Development concerning alleged activities by myself, the federal member and other people.

Mr Coulter: Her name is Trish Crossin.

Mr SMITH: Trish Crossin is one person, if you want to go through the names. Huang Hanying is another. The minister referred to other people, and the names tended to change from time to time according to what day and, more particularly, what hour it was. The Deputy Chief Minister's allegations were presented as charges, which is a more accurate term. I will read out the precise sections of Hansard later. His charges went far beyond the normal mud-slinging which occurs in a parliament because they quite clearly indicated that, in the view of the minister, people had been involved in a criminal conspiracy. Mr Speaker, those charges were and are vigorously denied.

The minister's charges have been changed up hill and down dale. The minister initially alleged that a meeting took place on 2 February. That later became 26 January and 5 minutes later still it became 29 January. After another 10 minutes, the minister said: 'It may well be that they saw in advance the problems that were likely to occur and they took particular care not to place their bodies in certain places and positions at certain times'. We went from 2 February to 26 January to 29 January to no meeting at all, all within 24 hours and 30 minutes.

Mr Coulter: All right. Correct me. What date was it?

Mr SMITH: Mr Speaker, I reiterate the point that these charges have been consistently and persistently denied ...

Mr Coulter: So was the meeting that Ms Crossin said she did not have last Thursday.

Mr SMITH: ... by all players in the scene.

Mr Speaker, to give an example in response to that interjection, I refer the minister to the interview with Miss Huang Hanying in last week's paper in which she specifically denied any trade union assistance in her removal from Darwin.

Mr Coulter: Let us wait and see about that one, shall we? Do not leave town tomorrow.

Mr SMITH: Those charges have been persistently denied. Equally persistent has been the refusal of the minister to repeat his charges outside this House, coward's castle, as he himself admitted on the 7.30 Report. Equally persistent has been the refusal of the honourable minister opposite to provide this House with the information which he allegedly has given to the Federal Police. I understand the reason for his embarrassment because he has not given any evidence to the Federal Police. There is no evidence to give and all we have is a letter of allegation.

Mr Speaker, let me take up the point of what is contained in the accusations. I quote from the Hansard of Tuesday 20 February:

> What is of major concern is that the integral part of this conspiracy involved a deal being made with a Chinese national in Darwin on a skills transfer scheme to secure permanent Australian residence. This shabby deal involved the Chinese national adopting a public course of action on a number of allegations about employment and living conditions at the Hengyang factory and the provision of information and documentation along such lines to the Australian Labor Party.

These are accusations, Mr Speaker, not allegations.

> In return for this, Mr Snowdon offered his influence as a member of the federal parliament to secure permanent Australian residence for Miss Huang. This would involve his making approaches on her behalf to the federal Immigration Minister, Senator Robert Ray.

The minister went on to say:

> It appears that 2 Labor Party politicians had acted to thwart the laws of this country for their own political ends.

These are accusations, Mr Speaker, not allegations. Accusations. The minister, speaking of the federal police, said:

> They may well be interested in the roles of Mr Snowdon, the Leader of the Opposition and Ms Crossin in organising and facilitating Miss Huang's departure from Darwin, in further meetings that occurred and in their association with Miss Huang's actual departure on Sunday 4 February.

Everybody now knows, of course, that in fact Miss Huang departed a week earlier. What a farce this has been from beginning to end, Mr Speaker! The honourable minister opposite could not even get his dates right. What he did was to work backwards. He worked out when a meeting possibly could have occurred and then tried to set the meeting up for that particular date. He could not even get that simple clerical exercise right and, from the start, his absurd claim of a conspiracy collapsed in a big heap.

The important thing is that the accusations were made in this parliament. The charge was laid out fully in this parliament. The brief to the Federal Police was presented in this parliament. It is only appropriate, fair and fitting that this parliament have the opportunity to debate the report. That is simply what we are asking, Mr Speaker, in this particular motion - the opportunity to debate the report of the Federal Police. This is the report which the honourable minister opposite said he is prepared to live or die by, the report which I am certainly prepared to live or die by. The stakes are pretty high for both parties in this matter. If that report finds that I was involved in a conspiracy, I will resign, Mr Speaker. Similarly, if the report does not show that, the honourable minister opposite has an obligation to resign. I challenge him - and of course he will not respond - to get up and say that he will resign if those charges are found to be unproven, that he will respect the privilege of this House and the standing of this House and will resign if the allegations are not proved.

Mr Perron: You would have had to resign about 3 times.

Mr Coulter interjecting.

Mr Perron interjecting.

Mr Bell: They are allegations about members of this Assembly.

Members interjecting.

Mr Perron: There is a difference, is there?

Mr SPEAKER: Order! The Leader of the Opposition will be heard in silence.

Mr SMITH: Mr Speaker, I have explained precisely and clearly why the opposition has moved this motion and why we expect members of the government to support it. The failure of the government to support it would demonstrate once again that it has something to hide. It would demonstrate once again that it is prepared to use this coward's castle to launch outlandish conspiracy claims but is not prepared to be here when the results of those claims come rebounding back to hit it in the face.

Mr PERRON (Chief Minister): Mr Speaker, I hardly think that a defence is called for.

Members interjecting.

Mr SPEAKER: Order! The honourable Chief Minister will now be heard in silence.

Mr PERRON: Mr Speaker, isn't it marvellous how the opposition has suddenly developed 2 sets of rules. We all recall how much time was taken up in this House in debating some allegations about alleged wrongdoings in relation to BTEC. The many people who were the subjects of those allegations were not members of this House. There were numerous allegations, all made under parliamentary privilege of course, and all subject to extensive police investigations at a cost, I would imagine, of thousands of dollars of taxpayers' money. To what ends, I wonder.

The motion deals with a matter which hardly warrants the unusual course which the Leader of the Opposition is proposing. Indeed, I will point out

in a minute that the terms of his motion are probably not able to be fulfilled. Perhaps he has overlooked that.

Mr Smith: Change the motion.

Mr Coulter: It is your motion!

Mr PERRON: Mr Speaker, of course this is not the first time that members of this House have been subject to police investigations. I can think of at least 2 occasions in the past when members of this House have been subject to police investigations.

Mr Smith: After allegations laid by other members?

Mr PERRON: Yes, absolutely.

Mr Smith: What happened?

Mr Coulter: You got in as member for Millner. That is what happened.

Mr PERRON: My Speaker, on neither of those occasions do I recall any motion being proposed such as the one now before the House. It would be a highly unusual course to reconvene this Assembly on a date over which we obviously have no control whatsoever.

Mr Smith: That is right. That is what worries you. You have no control over it.

Mr PERRON: The flaw in the Leader of the Opposition's motion - and if he would like to be quiet for a second, he might learn about it - is that the Federal Police, in fact, do not report to the Deputy Chief Minister. They do not report to the Leader of the Opposition and nor do they report, I hope, to the federal member of the House of Representatives. Mr Speaker, why would the Leader of the Opposition think that these people will receive a copy of the police report?

Mr Smith: Because the inspector has advised us.

Mr PERRON: Why would they?

Mr Coulter: What did he say?

Mr PERRON: I just do not understand it.

Mr Smith: He advised that we would receive a copy of the results of the report.

Mr Coulter: You will get the results all right.

Mr PERRON: Let us take another example. There were some fairly extensive inquiries about persons who had allegedly done the wrong thing in relation to BTEC. Did they all receive copies of the police reports when they were completed? I think not. As I understand it, the police system is one which ultimately reports to the Minister for Police. Certainly, that is what happens in the Northern Territory. The fact is, however, that the results of police investigations usually do not go to the minister. Indeed, if an investigation covers law-breaking of some description, one presumes that charges are laid. As soon as the police believed that they had sufficient evidence, they would do exactly that.

Mr Speaker, I suggest that it would be highly unusual for this Assembly to reconvene and debate this issue if, in fact, it is about to go to court. The Leader of the Opposition has implied that the Minister for Industries and Development has somehow acted improperly by referring this matter to the police. In fact, he did what he had to do. He had no option, having been made aware of serious allegations made against certain persons in this Assembly and some outside it. He had a responsibility to refer the matter to the police. He would not have been fulfilling his duty as a member of this House or as a citizen of the Northern Territory if he had not referred the matter to the Federal Police.

Mr Speaker, the government opposes the motion and I move that the motion be put.

The Assembly divided:

Ayes 14	Noes 8
Mr Coulter	Mr Bailey
Mr Dondas	Mr Bell
Mr Finch	Mr Collins
Mr Firmin	Mr Lanhupuy
Mr Harris	Mr Leo
Mr Hatton	Mrs Padgham-Purich
Mr McCarthy	Mr Smith
Mr Manzie	Mr Tipiloura
Mr Palmer	
Mr Perron	
Mr Poole	
Mr Reed	
Mr Setter	
Mr Vale	

Motion agreed to.

Mr SPEAKER: The question is that the motion be agreed to.

The Assembly divided:

Ayes 6	Noes 16
Mr Bailey	Mr Collins
Mr Bell	Mr Coulter
Mr Lanhupuy	Mr Dondas
Mr Leo	Mr Finch
Mr Smith	Mr Firmin
Mr Tipiloura	Mr Harris
	Mr Hatton
	Mr McCarthy
	Mr Manzie
	Mrs Padgham-Purich
	Mr Palmer
	Mr Perron
	Mr Poole
	Mr Reed
	Mr Setter
	Mr Vale

Motion negatived.

FINANCIAL INSTITUTIONS DUTY AMENDMENT BILL
(Serial 269)

Bill presented and read a first time.

Mr SMITH (Opposition Leader): Mr Speaker, I move that the bill be now read a second time.

Last year, on 1 December, the Northern Territory government began charging a financial institutions duty of 0.025% on deposits. Although the duty is the responsibility of the financial institutions, they pass the cost on to their customers. This means that, for each $100 deposited, the customer pays 2.5¢ to the financial institutions, which amount is then passed on to the government.

The duty is not unique to the Northern Territory. All other states, with the exception of Queensland, have passed similar legislation. There is one important difference between the FID legislation elsewhere in Australia and our legislation in the Northern Territory. Elsewhere in Australia, FID legislation includes an exception for accounts kept in financial institutions for the payment of pensions, benefits or allowances under the Social Security Act 1947 and similar payments under the Repatriation Act 1920. The Northern Territory's legislation does not provide for these exemptions.

Since the commencement of financial institutions duty payments on 1 December 1989, my federal colleagues and I have received many phone calls and letters from pensioners complaining about the duty. The government, rather than accepting any criticism as valid and seeking to bring its legislation in line with that of the rest of the country, chose instead to defend itself on the basis that the amounts involved for each individual are insignificant.

It is true that FID is costing individuals only 2.5¢ for each $100 deposited and it is true that we are not talking about large sums of money. We are talking about a principle. The principle is that we do not place any additional legislated financial burdens on those who are already on low incomes and receiving assistance from the federal government through pensions. Even the Prime Minister has written to the Chief Minister asking him to re-examine Northern Territory government policy on this matter and to consider exempting Social Security and Veteran's Affairs clients from payment of the duty. However, the Northern Territory government has made no moves to amend the act. Its attitude seems to be that, because the amounts are insignificant, there is no need to bother. Or perhaps it is simply a penny-pinching attitude.

Another example of this government's penny-pinching attitude was exemplified recently by the case of Mr Ippett, an invalid pensioner and NT News newspaper seller of the month, who had his Housing Commission rent raised when the government got wind of his success at lifting his paper sales from 30 to 75 a day. How is that for rewarding initiative and assisting people on pensions? That is an aside, but it is an example which makes it clear that this government has a peculiar attitude towards people who, for reasons beyond their control, genuinely need a welfare safety net to help them lead their lives at a reasonable standard.

The government can do something to demonstrate that it is willing to change its attitude by supporting these proposed amendments to the Financial Institutions Duty Act and upholding the principle that a government should

not impose unnecessary hardship, financial or otherwise, on people who are having already to cope with hardship.

The amendments are based on South Australian legislation and provide for the exemption from Financial Institutions Duty of deposits which are payments of pensions, benefits or allowances to Social Security and Veteran's Affairs clients. Specifically, the amendments exempt payments made under, firstly, the Repatriation Act 1920 of the Commonwealth or any other act of the Commonwealth relating to the repatriation of members of the military forces of the Commonwealth and, secondly, the Social Security Act 1947 of the Commonwealth. Mr Speaker, I commend the bill to honourable members.

Debate adjourned.

MOTION
Juvenile Justice Amendment Bill (Serial 131)

Mr TUXWORTH (Barkly): Mr Speaker, I move that the Order of the Day for the second reading of the Juvenile Justice Amendment Bill (Serial 131) be restored to the Notice Paper and that it be made an Order of the Day for a later hour of the day.

In speaking to the motion, I am sure that honourable members would share with myself and other members of the community the great concern being felt about the fact that juvenile offenders who steal or damage the property of another person appear to evade making suitable restitution for their offences. This occurs because the law, as it is presently written, does not encourage the courts to order the juvenile to make restitution by way of monetary compensation or performance of service, because of his or her inability to pay. Existing provisions for restitution relate only to the child. Where it can be established that the offender was not being reasonably controlled by the parents, the court, in considering a criminal action against a juvenile, does not have the power to order the parents to make restitution or compensation, where that would be appropriate.

In this legislation, I am proposing that, in some cases, the offender's parents should be made responsible for restitution or compensation, where a child has damaged another person's property and where it can be shown that the parents have not reasonably maintained proper control over their child, and where the court believes that that lack of control played a major role in the commission of the offence. The bill itself proposes the inclusion of only 1 new section in the Juvenile Justice Act. The effect of that provision compounds with existing provisions which should be examined in conjunction with it.

Existing section 53 of the act sets out in detail the penalty and other options available to the court where a criminal charge against a juvenile is proven. These are very wide in scope, ranging from monetary penalties to custodial and supervisory orders.

Section 55 deals with restitution by way of monetary compensation or performance of service and certain limits are imposed. The idea of proposed new section 55A is to give the court a further option, under appropriate circumstances, of shifting to parents responsibility for a penalty, compensation or service, or requiring that they share joint responsibility with the juvenile.

Given that the degree of severity of penalty which can be shifted is rather mild, and is limited to penalties which could be imposed under the act on the juvenile himself, honourable members might think that I am being too kind. Whilst there are some occasions when I am quite sure that the parents' lack of concern about the activities of their children would justify the fullest wrath of the law being visited on them, the intention of this bill is somewhat novel, and I do not want rational debate on the real issues to be sidetracked into an argument about whether the penalties are draconian.

The concept behind this legislation may appear to be novel, but it is not totally new. A provision embracing the basic concept has been included in Western Australian legislation since 1957. I understand, from officers who are involved in the administration of justice for juveniles in Western Australia, that the provision is not used often, although it does seem to have the effect of encouraging parents to take notice of their children's whereabouts and what they are doing. In fact, I have used the Western Australian wording in proposed section 55A, and the words 'has conduced to the commission of the offence' are included for the purpose of attracting Western Australian legal precedent.

Honourable members will see that the proposed section also allows the court, in addition to any order which it might make, to order a parent to give security for the good behaviour of the juvenile. Honourable members will see also that I have proposed a fairly expansive definition of 'parent', but that I have excluded from this definition those people whose duty it is to care for difficult or disadvantaged children under the Community Welfare Act, and those who voluntarily take on this onerous responsibility. I will be circulating this bill widely in the community. I commend it to the House, and look forward to hearing some positive and constructive contributions from members opposite.

Mr MANZIE (Attorney-General): Mr Speaker, the government is certainly not going to support the motion. This bill was presented to the House previously and it was pointed out that it presented some difficulties. It was also pointed out that the government supported the spirit of the bill and would seek to come up with something that would overcome some of the obvious difficulties which were referred to when the bill was first presented. I find it disappointing that the member for Barkly has ignored what was said in the debate regarding some of the possible problems presented by the bill, and has sought automatically to reinstate the bill. However, since I believe that he wants any legislation enacted along these lines to work, I will refer to what I said during the previous debate on this bill.

In the first place, the definition of 'parent' in proposed subsection 55A (6) includes persons having the care and control of the juvenile at the relevant time. The problem with the definition is that it may extend to teachers, youth workers etc who may well be in nominal control of the child but who are not responsible if the child chooses, at that time, to play truant and commit a crime. These people have been specifically excluded by the Western Australian legislation, but this has not been picked up by the member for Barkly.

There are other reasons why the government does not intend to support this bill and they revolve around the fact that it has not been researched. The bill, in its present form, is 50 years out of date and, unfortunately, would not achieve anything. The difficulty of proving that a person had conduced to the commission of an offence by neglecting to exercise due care

and control should be apparent to all honourable members. The reason why this legislation has not worked in Western Australia is because it is obvious that parents could escape liability simply by saying that it is not possible to supervise children every hour of the day. It seems to me that we are very quickly getting away from the general concept of parental responsibility. In addition, in those rare cases where liability could be sheeted home to parents, it is more than likely that such parents would have no money. That leads me to another concern which is that the range of penalties is far too limited and may exclude a significant group of parents whom we may wish to cover.

In summary, the government will not support the motion because of the deficiencies in the bill. As I said, we certainly support the concept, and I have given notice that I will be presenting a bill which will ensure that parents share in making payment or recompense for the offences committed. I therefore move that the motion be put.

Motion agreed to.

Mr SPEAKER: The question is that the motion be agreed to.

Motion negatived.

LOTTERIES (GAMING MACHINES) REGULATIONS AMENDMENT BILL
(Serial 275)

Bill presented and read a first time.

Mr LEO (Nhulunbuy): Mr Speaker, I move that the bill be now read a second time.

During the October 1989 sittings, the Minister for Racing and Gaming was asked where in the casino agreement it is specifically stated that the casino operators are the only people in the Northern Territory who can offer cash prizes in respect of video gaming machines. The minister did not answer that question then and he has not been able to answer it since. He cannot do so because there is no such statement in the agreement. He tried to answer by saying that the legal view is that 'the casinos have an entitlement to cash poker machines throughout the Northern Territory'. I suggested to the minister that he request Crown law officers to review that legal opinion which, he claimed, gives the casinos the exclusive right to offer cash payouts on video gaming machines. To date, he has refused to do that.

Of course, the key issue is not the casinos' entitlements but the entitlements of other Territorians. The minister managed to obfuscate the issue in October by leading us to the irrelevant area of whether there is a difference between poker machines of the 1-armed bandit variety and video draw-card-poker gaming machines. If one wanted to wage that debate, one would say that skill is the differentiating factor. Whereas the 1-armed bandit machines operate purely on chance, the video gaming machines require some skill. The differentiation is esoteric but it is interesting to note that it is contained in existing legislation, despite the fact that the minister said last October that there is no difference in the technical sense.

This is what the current Territory legislation and agreement states. In section 3 of the Lotteries and Gaming Act, the interpretation section, a gaming machine is defined as 'a mechanical, electrical or electronic machine

or device played, used or operated for the purpose of obtaining by chance or a combination of chance and skill money or goods or credits or tokens representing money or goods'. Section 2 of the Casino Licensing Control Act defines 'game' as 'a game of chance'. In clause 1 of the casino operators agreement, 'game' is defined as meaning 'gambling games authorised by the minister under clause 8' of that same agreement. These variations are not vital to the case the Northern Territory clubs have for demanding the right to offer cash pay-outs, but they do indicate that the Northern Territory government's own legislation makes a subtle distinction between 'games' governed by the Casino Licensing and Control Act and the 'gaming machines' covered by the Lotteries and Gaming Act and its regulations. The former involves chance, the latter chance and/or skill.

The confused differentiation which the minister attempted to make last October is relevant. After stating that there is no technical difference, he then stated that the only difference between a video gaming machine and a poker machine is whether the machine pays cash or not. Of course, that is quite true, but again he was confusing the issue. Territory clubs are not arguing their case for 1-armed bandit type poker machines. Their case is about being able to make cash pay-outs from video gaming machines. Therefore, the real question which the minister has to answer is: what is the difference between a video gaming and a video gambling machine? Of course, it is a nonsensical question with a nonsensical answer. The only difference is whether or not the machine is located in a club or a casino.

To return to the minister's legal opinion on the casino's right to exclusivity, that opinion could have been an interpretation of the contentious exclusivity clause in the casino agreement, clause 8.8, under which the casino has been given a monopoly on gambling games in the Northern Territory. Clause 8.8(a) refers to casino licences, which in this case include a licence granted to a mortgagee or to a receiver-manager or to an assignee under clause 10. It reads essentially as follows:

> So long as the casino licence ... remains in force, the minister shall not ... cause or suffer or permit any person, firm, association, authority or entity other than the operator or the holder for the time being of the casino licence to be granted a casino licence applicable to the Northern Division or otherwise legally to organise and run games in the Northern Territory.

The minister attempted to fall back on the legally-binding agreement with the Darwin casino to excuse the inexcusable and unfair treatment of Territory clubs, and that simply cannot work. The fact is that there is nothing in the casino agreement which prevents Territory clubs from offering cash pay-outs. The reason is as follows. The very existence of video gaming machines in clubs in the Territory is already a contradiction of the casino's supposed right to a monopoly under clause 8.8(a). The fact is that the clubs had the video gaming machines in place before the casino installed them. Does it make sense that Territory clubs, which had the games first, are then prevented from offering cash pay-outs under regulations under the Lotteries and Gaming Act? To me, that does not make any sense. The casino has clearly been given an unfair advantage and there is no reason whatsoever that the casino should have this advantage. The exclusivity clause in the casino agreement is already invalidated because of the existence of the machines in both clubs and casinos.

There is another argument put by the Northern Territory government in defence of this unfair restriction on the clubs. The minister expressed concern that, in New South Wales where clubs were allowed to offer cash

pay-outs on video gaming machines, the experience was that the big clubs got bigger and the small clubs got smaller. I recall that the Deputy Leader of the Opposition interjected, saying that the minister wanted all clubs to get smaller. That would seem to be the attitude of the present government or at least the present minister.

By restricting cash pay-outs to the casinos, this government is effectively ensuring that the clubs get smaller. There is no shortage of beer drinkers in the Northern Territory, but I am sure that any survey would show that even a keen beer drinker would rather have a cash prize of $500 than a prize of 50 cartons of beer. In fact, a number of surveys undertaken by the clubs themselves have told us exactly that. Over 400 signatures were collected by a sample of only 5 of the Territory's 70-odd clubs. All the people who signed their names answered yes to the question: 'Do you believe this club should have the right to offer cash prizes for video gaming machines?' Club management is overwhelmingly in favour of cash prizes. People will go where they can win cash prizes. Territorians want to play the gaming machines but prefer cash prizes and will go to a casino instead of to their local club. That means that the clubs lose revenue.

In New South Wales clubs, net returns from gaming machines exceed bar profits. The beauty of keeping the revenue in the clubs is that it is returned directly to the community and I think that that is worth noting. Clubs play a vital role in the community of the Northern Territory and that money will be returned directly to the community of the Northern Territory.

There is no reason for the casinos to have exclusive rights to cash pay-out prizes on video gaming machines. That is why the opposition proposes to amend the regulations to the Lotteries and Gaming Act by rescinding section 6 which penalises any person who offers cash prizes in relation to the use of an approved gaming machine. There is a penalty of some $500. We would amend section 5 which restricts prizes offered in relation to the use of an approved gaming machine to goods or services or credits representing goods or services. I commend the bill to honourable members.

Debate adjourned.

LAND AND BUSINESS AGENTS AMENDMENT BILL
(Serial 234)

Continued from 18 October 1989.

Mr MANZIE (Attorney-General): Mr Speaker, this bill has been before the House before. It has certainly been considered and some changes have been made to it. The bill is an attempt by the member for Sadadeen to break the monopoly on conveyancing which is presently enjoyed by the legal profession in the Northern Territory. Honourable members would probably recall that, during debate in 1988 on the previous bill which the honourable member introduced on this subject, I indicated that the concept underlying the bill was commendable. However, I pointed out during the second-reading debate that there were a number of serious concerns about the bill which prevented the government supporting it. The current bill attempts to resolve some of those difficulties. Unfortunately, in some respects it does not go quite far enough and, in other respects, it raises further concerns. I advise the honourable member that, in its present form, we will not be supporting the bill.

Our first concern relates to educational qualifications. This bill sets out very limited qualifications which, in essence, seem to involve practical experience plus the satisfactory completion of practical tests set by the Registrar-General. That concept is probably a good idea to cater for people who have developed expertise through practical experience and who can be tested in order to ascertain their qualifications in respect of conveyancing. However, we need to look seriously at whether such qualifications would be adequate to ensure an appropriate level of service.

In South Australia, conveyancing has been successfully undertaken by people other than lawyers. In that state, people have to undertake a tertiary level course which provides them with wide-ranging knowledge. Possibly, we would not need to go that far if we were to take up this concept of non-lawyers undertaking conveyancing. However, we must ensure that the qualifications of those who undertake conveyancing are adequate to carry out the task successfully. We must remember that the people who will be purchasing the services of these agents will be entrusting to them probably one of the biggest transactions they will ever make in their lives - the sale of their houses.

My second concern is with the functions to be carried out by the conveyancing agents as proposed in the bill. In contrast to the 1988 proposal, the functions proposed for conveyancing agents in this bill seem to be too narrow. In particular, conveyancing agents do not seem to have the right to prepare a contract of sale and charge a fee. It appears to me that, if a new class of conveyancers is to be established at some time in the future, it must be established in a way which would allow those people to work independently of lawyers and real estate agents. This bill so narrowly defines the functions that it is arguable that licensed conveyancing agents would have to be employed in the office of a real estate agent or a lawyer. In that regard, it should be noted that the bill is not clear as to whether conveyancing agents would be entitled to hold trust moneys received prior to a settlement. Even if agents were able to receive and hold such moneys, the bill is deficient in that it contains no provisions dealing with trust moneys.

A licensed person holding trust moneys must do so in specified accounts which are accessible to inspectors and clients. There are usually provisions dealing with audits etc. Obviously, that lack of control over trust moneys is a concern with the bill. In South Australia, there have been problems where land brokers have used trust moneys for mortgage broking purposes and all sorts of things. There have been defaults on several occasions, resulting in calls on fidelity funds established by the South Australian legislation.

There is another concern. We have to look at the insurance aspect. The approach taken by the member for Sadadeen is basically one of 'let the buyer beware'. It requires advertising of who holds insurance and who does not and the client then makes a decision as to which agent he wants to use. However, there is a need to ensure that the insurance is adequate to cover the problems which may occur. It only needs something to go wrong once for the government to have to accept some responsibility.

We intend to issue drafting instructions for the drawing up of a bill which will implement the intentions of the member for Sadadeen. I certainly have no problems in allowing the member for Sadadeen to have quite a bit of input into the drafting of an appropriate bill to allow conveyancing to be removed from the monopoly of lawyers. It would be the intention of the government to present such a bill during the next sittings of this

Assembly. With those remarks, I advise that the government will not be supporting the legislation. However, we certainly support the concept and will be moving appropriately in the near future.

Mr FLOREANI (Flynn): Mr Deputy Speaker, I rise to support the general thrust of this bill. I might say at the outset, however, that I am a little disappointed that the Attorney-General has not taken a greater interest in this matter. This is the second occasion on which the member for Sadadeen has attempted to get this bill through. When one considers the resources which the government obviously has at its disposal and the resources which the member for Sadadeen has, there really is no comparison. I would have expected the Attorney-General to take a little more interest in what ...

Mr Manzie: Actually, there has been an inquiry into this matter. The member for Sadadeen was asked to contribute. I know that he has a heavy workload but ...

Mr DEPUTY SPEAKER: Order!

Mr FLOREANI: The general thrust of the bill, Mr Deputy Speaker, is to break the monopoly which legal practitioners have in relation to conveyancing. I think that is a good thing. In the accounting fraternity, there are firms like The Income Tax Professionals and H & R Block which do not have the qualifications of most accountants ...

A member: That is a nasty thing to say.

Mr FLOREANI: No, it is not nasty at all. I am saying that they provide a certain service and there is competition. The government is meant to be a free enterprise government and therefore I really look forward with bated breath to seeing the bill which it proposes to introduce.

Mr COLLINS (Sadadeen): Mr Deputy Speaker, I thank the honourable members who have taken the time to address this issue. I am particularly grateful to the Attorney-General for indicating that the government will take on board the basic thrust of what I have been on about for some 9 years, which is my belief that there should not be a monopoly in this area.

There are answers to some of the points raised by the Attorney-General. He suggested that the bill may not have gone far enough. The bill proposed that people would become qualified to practise conveyancing by spending at least 50% of their working time on conveyancing matters over a 3-year period and satisfactorily passing 5 conveyancing tests or mock conveyances. I imagine that one of those conveyances could be designed in such a way that a good conveyancing agent would recognise its pitfalls and recommend that a client consult a lawyer about it. Some conveyancing jobs fall into that category but most, I understand, are not too difficult.

I would like to emphasise that there are many people in the community who are doing conveyancing at present and who are obeying the law by not charging a fee. Officers of the Housing Commission do free conveyancing when someone buys a commission house. I hope that that will continue because there are so many costs in trying to purchase a home today that, if the government can still provide the service free of charge, it is good. A number of people in the real estate business perform conveyancing work for their clients and many of them will say that they have not had any tertiary level education but have learned on the job from other people. They provide free conveyancing services every day. My suggestion is that such people should be allowed to charge a fee if they are found to be fit and proper

people with suitable experience, can pass the tests and are approved by the tribunal.

I want to go into a little more depth on a matter which I referred to in my second-reading speech. My intention is that conveyancing agents should be grouped with real estate agents and business agents. The parliamentary draftsman and I therefore proposed an amendment to the definition of 'agent' in the principal act. The tribunal is proposed to consist of 3 people - a lawyer, the Registrar-General of Titles and a third person chosen by the minister who is believed to be a suitable person to represent the interests of consumers. The legislation provides that these people may consider applications to practise from people who believe that their qualifications are adequate. For example, an applicant may not have worked in a solicitor's office for 3 years, but might have worked in the Registrar-General's office and gained sufficient conveyancing experience there. People in that sort of situation who show competence and can pass the necessary tests could also be accepted by the tribunal.

The South Australian system has received fairly widespread praise. However, I am rather concerned about the legal aspects. At one stage, the South Australian courses for conveyancing agents lasted for 2 years. They went to 3 years and now they run for 4 years, which is longer than a science degree. It seems to me that that is no more than another way of reducing the number of people in the industry so that prices can be kept up. I am convinced that the vast majority of conveyancing work is relatively simple, as is proved by the fact that so many people do it free of charge around the Territory now. The Land Titles Office in Alice Springs and Darwin will not register titles unless the work is done properly. I thank the parliamentary draftsman for his efforts. He has expressed the spirit of what I wanted in the legislation.

On the question of trust moneys, it was not intended that a conveyancing agent should handle the money which real estate agents and lawyers may handle. A simple approach, which I believe some real estate agents use, is to draw up a contract in terms suitable to the parties. A deposit is normally paid, and the idea would be that the buyer and seller take the deposit money and put it into a joint account which can be operated only by both of the signatories, thus protecting the interests of both parties. A time limit can be placed on the contract and, unless that is extended by the mutual agreement of the parties, 90% of the money would go back to the would-be purchaser who decided not to purchase, with 10% going to the seller as some compensation for not having been able to sell to anyone else during the term of the contract. At final settlement, the conveyancing agent could play a role relating to handing over the title and receiving the balance of money. That balance would be paid by a bank change made out in favour of the seller of the property.

I have a couple of comments on the insurance aspect. The bill says that an agent has to advertise the fact that it has or does not have insurance. A company ought to be reputable with a good basis, not a company which would be likely to fall apart, as the Attorney-General correctly pointed out. However, Mr Deputy Speaker, I put it to you that a conveyancing agent, whose job is basically straightforward conveyancing, is not like a lawyer who may well have his mind occupied with defending somebody on a murder charge. His job is conveyancing. I think that possibly the best insurance is for the agent to know that, if he does not do the job properly, he stands to be sued. No insurance is possibly the best insurance. People have told me that, on the rare occasions when lawyers have messed up conveyancing, it is a nightmare to try to get compensation, even though the lawyers have

fidelity funds and so forth. You have to go to court and lawyers are involved. The expenses are considerable.

I hope that, in some ways, I have been able to allay some of the problems which the Attorney-General has raised. The spirit of the bill was to try to keep things reasonable and simple, and along the lines of what can be done at no cost now. The difference will be that people other than lawyers will be able to charge for conveyancing, and I believe it is worth a try. I accept that the government will not accept the bill in its present form but I believe that some of the matters which it is concerned about are actually covered in the bill.

I might say that I give praise to my draftsman, Mr Neville Richards. He and I concluded that, on the last occasion I put forward legislation on this matter, I tried to be all-embracing and sweep the world before me. The result was that I got nowhere. We thought that, if this bill was more restrained in its approach, it might attract fewer objections. One of the ironic aspects of the objections raised by the Attorney-General was that he wanted the legislation to be broader. Basically, the bill provides a mechanism which would allow any person who believes that he or she might be able to carry out conveyancing to make application to the board. The board could make decisions which would allow a much wider range of people to practise conveyancing than those who do so at present.

I thank the member for Flynn. He has been supportive on both occasions on which I have tried to achieve the basic principle of breaking the legal profession's monopoly on conveyancing. I am certainly very pleased and I appreciate the fact that the government has at least supported the principle. I look forward to having some input into what I hope will be a reasonably similar bill which will keep the matter pretty simple.

Motion negatived.

MOTION
Entrenchment of a New Constitution - Information Paper No 2
Select Committee on Constitutional Development

Continued from 19 October 1989.

Motion agreed to.

MOTION
Public Accounts Committee
Annual Report 1988-89

Continued from 30 November 1989.

Motion agreed to.

MOTION
Sessional Committee on the Environment
Report November 1989

Continued from 30 November 1989.

Motion agreed to.

LISTENING DEVICES BILL
(Serial 273)

Bill presented and read a first time.

Mr MANZIE (Attorney-General): Mr Speaker, I move that the bill be now read a second time.

This bill replaces the Listening Devices Bill which I introduced into the Assembly in 1988. That bill was referred to the Police Powers Review Committee for comment. The committee has considered the bill twice and provided comments in September 1989 and again in February this year. The bill I now introduce into the House reflects changes recommended by the Police Powers Review Committee. The bill relates to the use of listening devices - that is, devices capable of being used to listen to or record a private conversation.

This legislation is completely separate from telephone 'tapping' legislation. Because of the federal division of powers, the Commonwealth has exclusive legislative jurisdiction over a telephone call, between mouthpiece and mouthpiece. This is a 'telecommunication'. However, once the sound leaves the mouthpiece, a state or the Territory may legislate. Listening device legislation exists in all Australian jurisdictions except Tasmania and the ACT. This, of course, does not mean that such devices are not used, merely that their use is not restricted.

The main features of the bill are as follows. Under the bill, the Supreme Court may issue a warrant to the police to use a listening device if satisfied, on reasonable grounds, that it is necessary for the purposes of investigating an offence. In considering an application for a warrant, the court must have regard to the gravity of the offence, the extent to which personal privacy may be interfered with, the evidentiary value of any information obtained, the extent to which the investigation will be assisted and whether any warrants have been previously issued. The warrant may authorise entry for the purposes of installation, repair, relocation and retrieval of the device. In urgent cases, the warrant may be granted by telephone.

The bill also provides a series of offences relating to the unauthorised use of listening devices. The bill makes it an offence for a person to use a listening device in respect of a private conversation if that person is not a party to the conversation. Of course, it would not be an offence if the parties to the conversation consented to the use of the listening device.

The offence provision has been redrafted to take account of the comments from the Police Powers Review Committee. One exception to the offence is where a listening device accidentally overhears a private conversation. This exception has been added to deal with problems caused by the use of security cameras in banks and prison cells or the use of video cameras by the media or other persons to record public events. The government considers this exception to be a matter of common sense and it reflects exceptions provided in both New South Wales and Queensland and to some extent in South Australia. However, I should point out that the committee has not considered this particular exemption and it may be making a further submission to the government in respect of it. It is also an offence to tell others what has been learned from the use of a listening device, except in the circumstances specified in the bill.

However, the bill further provides that it is not an offence to tell others of what a party to a private conversation has learned from the use of a listening device if this is in the public interest, in the course of duty, or for the protection of that person's lawful interests. The offences extend to corporations. A person using a listening device pursuant to a warrant issued under this legislation or a Commonwealth act does not commit an offence under this legislation. A person may not communicate or publish a private conversation or a record of a private conversation recorded pursuant to a listening device except as allowed by the bill. The Commissioner of Police is required to report to the minister after each use of a device as well as to make an annual report to the minister on the number of warrants sought and issued. I commend the bill to honourable members.

Debate adjourned.

EVIDENCE AMENDMENT BILL
(Serial 270)

Bill presented and read a first time.

Mr MANZIE (Attorney-General): Mr Speaker, I move that the bill be now read a second time.

The amendments proposed by the bill can be divided into 2 topics: evidence on commission and statute law revision amendments. Clause 18 adds a new part VI to the Evidence Act, entitled 'Evidence on Commission'. These amendments are part of an initiative agreed to by all Attorneys-General, and uniform legislation has already been passed in New South Wales, Queensland, South Australia and Western Australia. The main purpose of this part of the bill is to enable Territory courts to make orders for the obtaining of evidence from witnesses in other states or overseas countries, if the evidence relates to a civil or criminal proceeding in the Territory. The bill will also allow the reverse of this. It is well known that evidence establishing the commission of criminal offences in the Territory is not necessarily found here or, for that matter, in Australia. In certain cases, vital evidence in fact is located in overseas countries, resulting in a need for the conduct of formal investigations in those countries to determine the nature and extent of the evidence as well as assess its potential.

In the past, when it was known that relevant evidence existed in overseas countries, the practice was to obtain what was called a 'letter of request' from the Territory courts addressed to the judicial authorities in the particular overseas jurisdiction to obtain evidence from relevant witnesses. Only the Supreme Court presently has this power for criminal law requests. The new section 50 will extend this power to the Magistrates Court. It will then be up to the interstate or overseas court to decide whether to comply with this request.

The bill will be of particular assistance where large-scale fraud is committed in the Territory such as, for example, where the proceeds of the fraud are known to be located in overseas jurisdictions. The bill will enable the relevant prosecuting authorities to obtain appropriate orders for the examination of witnesses in the interstate or overseas jurisdictions. This will assist prosecution of Territory offences by the obtaining of evidence that would not otherwise be available. The power of the Territory court to exclude inadmissible evidence is contained in the new section 51.

Division 2 enables the reverse of this process. Pursuant to sections 52 and 53, the Territory Supreme Court will be able to authorise the taking of evidence in the Territory for use in civil or criminal proceedings outside the Territory. By section 54 the privilege of a witness to refuse to answer a question, whether that privilege arises under Australian law or the law of the overseas country, is retained. By section 55, it is an offence to give false evidence.

I now move to the other amendments. First, there are those relating to documents and bankers' books. The Evidence Act permits the use of documents as evidence. The definition of 'document' has been amended by clause 4 of the bill to reflect the use of computers to store information. The previous definitions, though drafted widely, were clearly based on the idea of a document being something in writing. The particular definition the bill inserts is the uniform provision now used in Australian states to refer to electronic documents. Similarly, the definition of 'banker's book' has been amended to refer to the keeping of accounts by electronic means. Again, the uniform definition has been used. With the entry of building societies and credit unions into banking services, it may be necessary to permit their accounts to be put into evidence in the same way as bankers' books now are. Accordingly, the definition of 'bank' has been extended to these financial institutions.

In clauses 15 to 17 of the bill, amendments have been made to sections 43, 44 and 45 of the act, which deal with bankers' books. The changes are mostly drafting, to bring the Northern Territory into line with the other states. However, there is a significant change to section 44. At the moment, a banker's book has to be in the custody or control of the bank. In this age of computers and computer systems, this requirement is now out of line with reality. Accordingly, it is to be deleted. Section 45 permits proof of a banker's book by examined copy. In addition to this, the amendment will permit proof by certified copy.

In relation to non-appearance of witnesses, section 21 of the act deals with the procedure for dealing with failure to comply with a witness summons or subpoena. By clause 6 of the bill, this section has been redrafted to take account of changes made to the rules of some courts which allow a person to produce a document before a trial.

Part IV of the act deals with evidence of public acts and documents. Clauses 8 to 14 of the bill make amendments to this part. Section 27 of the act permits treaties and acts of state of foreign countries. It is amended by updating the drafting style and by extending it to allow proof of acts of state by the Commonwealth of Australia. A new section 27A is inserted by clause 9 to deal with evidence of Northern Territory statutes. To a large extent, this matter is covered by the common law, but it is considered desirable, in view of the legal history of the Territory, to have one section clearly stating how evidence of all laws of the Northern Territory is to be given. Sections 28A and 28B provide for proof of regulations, proclamations and other orders by Territory or Commonwealth ministers and the Governor-General. The 1939 drafting style has been modernised to accord with current practice, and references to the Commonwealth have been deleted, as the Commonwealth Evidence Act deals with these matters.

I turn to clause 11 of the bill, which inserts a new section 29. By section 29 of the act, public documents are provable by examined or certified copy by the officer having custody at a fee of 5¢ per 90 words. By section 37, an entry for public or official purposes kept by the Registrar-General or another officer relating to land is provable by

certified copy at a fee of 12¢ per 72 words. By section 38, evidence of a deed or writing registered for the purposes of public or official record in the office of the Registrar-General or any other public official is provable by certified copy by the officer having proper custody at a fee of 12¢ per 72 words. Each of these sections covers the same or similar areas in different ways at 2 different fees. These overlapping provisions are repealed and consolidated in 1 comprehensive provision in the new section 29.

Section 36 of the act deals with judicial notice of certain signatures. A number of the persons are no longer correctly described. New offices have been created which should be included. Clause 14 updates this list. By clause 21, a regulation-making power has been added. It will be necessary to prescribe forms for the taking of evidence under the new part dealing with evidence on commission, and to prescribe a fee for production of certified copies.

Clause 22 makes statute law revision amendments in schedule 1. A number of obsolete or unnecessary provisions are repealed. The main provisions repealed are as follows. Sections 24 and 26B relate to actions for adultery and breach of promise, which have been abolished by the Commonwealth Family Law Act. Section 26K, which relates to evidence of illegitimacy, is now dealt with by the Family Law Act, sections 66V and 66W. These sections were added by the 1987 reference of family law powers to the Commonwealth. Sections 26E and 40, which relate to birth, death or marriage certificates, are already dealt with by section 56 of the Registration of Births, Deaths and Marriages Act. Schedule 2 contains a list of acts repealed.

Finally, it should be noted that part VI of the present act, which relates to transmission of evidence by telegrams, has been repealed. Advice from the courts confirms that this part is now obsolete and, indeed, has probably never been used. It has been repealed, or never existed, in New South Wales, Victoria and the Australian Capital Territory. At this stage, it is not proposed to replace it. The Australian Attorneys-General are presently considering reforms to the law of evidence which covers electronic mail services. No proposal has yet been made. Presently the common law governs proof of messages sent by facsimile, lettergram, imagegram and intelpost.

Debate adjourned.

JUVENILE JUSTICE AMENDMENT BILL
(Serial 276)

Bill presented and read a first time.

Mr MANZIE (Attorney-General): Mr Speaker, I move that the bill be now read a second time.

Mr Speaker, the purpose of this bill is to amend the Juvenile Justice Act to allow the court to order that parents of offenders pay restitution, or to contribute towards the costs of detention of a juvenile at a detention centre in certain circumstances. Concerns regarding juvenile delinquency have been debated not only in this Assembly but also in the public arena on a regular basis. Hardly a week goes by without a letter to the editor of the NT News calling for something to be done. This government believes that something must be done to address the community's concern about the level of juvenile crime and juvenile delinquency.

In the past, the government has responded to the call by addressing the needs of juveniles when they become embroiled in the juvenile justice system. For example, honourable members would be aware of initiatives such as wilderness work camps, juvenile offenders placement programs and others. However, the time has come to take steps to try to stop the problem before it starts - that is, by introducing measures to stop juveniles being caught up in the system in the first place.

This government believes that the first step in this process must be to make parents more responsible. We must send parents a message that they must be more aware of what their children are doing and, with that awareness, to assume responsibility for them. This is fine in principle. The difficulty comes with actual implementation. Any scheme that is developed must have regard to the fact that it is a principle of Australia's criminal justice system that juveniles are deemed accountable for their own actions and are expected to stand on their own feet before the law. Any response to the call for something to be done must have regard to this principle but, at the same time, must recognise the fact that parents are in a unique situation - that they do have a responsibility.

In addition, the government is mindful of the need not to create a legal nightmare by resting parental responsibility on proving whether or not the parents have conduced or contributed to the commission of the offence. The United Kingdom laws used to provide that a parent or guardian was liable to pay a fine or compensation where a child was convicted of an offence unless the court was satisfied that they had not conduced to the commission of the offence. That was changed in 1984 to provide that, where the child is convicted of an offence, the court shall order that the parent pay the fine or compensation unless it is unreasonable to do so in all the circumstances.

This revised United Kingdom approach is the basis of the approach taken in this bill. The bill does not 'bring the parent in', as it were, in relation to fines or community service orders, or any other order that the court may make under section 53 of the Juvenile Justice Act. However, the parent does come into the picture in relation to an order for restitution. Clause 4 repeals existing section 55, which deals with restitution, and puts a new clause in its stead. Under that clause, the court - as is the case now - in addition to any other order, may make an order for restitution either by way of monetary compensation or by the performance of services.

Where the court wants to make an order for the performance of services, the order is against the juvenile. Where the proposed order is for monetary compensation, the court has to inquire whether the juvenile can pay the order. If the juvenile can pay the order, he or she will be required to do so and that will be the end of the matter. But, if the court is satisfied that the juvenile cannot pay that type of restitution, then the court may order that the parent and the juvenile pay the restitution, or that the parent alone pay the restitution.

Further, proposed new section 55(5) provides that the amount of monetary compensation that may be paid under the act is now $5000. The government has decided to set this limit in recognition of the need to strike a balance between the need to introduce a maximum limit which is high enough to make parents take heed of it, and the need to ensure that such an amount is not draconian.

In this regard, I should point out that while there is widespread community support for the government's proposal, there has been some concern expressed that people may lose their homes or have their livelihoods

destroyed in order to pay restitution orders. The government believes that the $5000 limit will achieve this balance. Obviously, in the case of multiple offences, the court will take into account which is a reasonable total, given the particular circumstances of the parent and juvenile.

Under the bill, the power of the court to make an order for monetary compensation against a parent - whether whole or in part - is subject to proposed new section 55B. That section specifically provides that the court shall not make an order against a parent unless the parent has been given an opportunity to be heard. Further, such an order shall not be made where it is unreasonable to do so in all the circumstances.

In addition, proposed new section 55A provides that, where a juvenile is ordered by the court to be detained in a detention centre, the court may order that the parents pay an amount, not exceeding $100 per week, towards the cost of detaining the juvenile in a detention centre. Once again, the ability of the court to make such an order is subject to the protections of section 55B.

Proposed section 55B(3) specifically provides that, where there is a competing interest between payments of the costs of detention and payment of restitution, the latter is to have priority. In other words, the 'victim' will get his or her restitution before the government. Proposed section 55C provides that orders are to be enforced in the same way as a fine. This means community service where an offender or parent cannot pay. I am aware that, as a result, some victims may not get the benefit of this community service but I feel that they will at least find solace that a 'payment', albeit to the community at large, has been made.

I draw the attention of honourable members to the definition of 'parent'. It has been specifically defined to include the Minister for Health and Community Services, who may be the legal guardian of a child. It has also been defined to include the Minister for Correctional Services where a juvenile is detained at a detention centre. This is because government believes it must lead by example - it cannot ask parents to be responsible if, with all its resources, it does not do the same.

The difficulty in confining the scope of the legislation to legal guardian or parent is that the guardian may not have the actual care and control of the juvenile at the relevant time. For example, some other person may have that care and control, such as a friend of the family or a volunteer under the Juvenile Offender Placement Program. At this time, the government does not think it would be appropriate to make such people come under the regime. For that reason, it is confined to the legal guardian or parent. It may well be that this type of situation may be a case where the court would find it unreasonable to make an order against the legal guardian or parent. However, the matter will be given further consideration and I invite comment on this aspect of the bill.

In summary, I would like to return to the general issue of framing laws to make parents responsible. As I mentioned earlier, this government believes that parents have to be responsible. This bill seeks to achieve this in a sensible and fair manner. The regime is not mandatory. It does give the court flexibility, but it also gives a very clear message to parents to become more responsible. In the words of Baroness Ewart-Biggs in the House of Lords in 1984: 'If we adjust the law to suit irresponsible parents, they will then be more irresponsible; but if we create law which requires parents to be more responsible, there is more hope that they will

be'. It is with this hope that the government has introduced this bill. I commend the bill to honourable members.

Debate adjourned.

SUSPENSION OF STANDING ORDERS

Mr MANZIE (Attorney-General)(by leave): Mr Speaker, I move that so much of standing orders be suspended as would prevent the Director of Public Prosecutions Bill (Serial 277) and the Director of Public Prosecutions (Consequential Amendments) Bill (Serial 278) - (a) being considered together and 1 motion being put in regard to, respectively, the second readings, the committee's report stage and the third readings of the bills together; and (b) the consideration of the bills separately in the committee of the whole.

Motion agreed to.

DIRECTOR OF PUBLIC PROSECUTIONS BILL (Serial 277)
DIRECTOR OF PUBLIC PROSECUTIONS (CONSEQUENTIAL AMENDMENTS) BILL (Serial 278)

Bills presented and read a first time.

Mr MANZIE (Attorney-General): Mr Speaker, I move that the bills be now read a second time.

Crime has become the focus of media and hence public attention. Considerable pressure has been placed on those politicians, particularly Attorneys-General, who are responsible for determining whether to prosecute or discontinue a prosecution, whether to institute an appeal against leniency of a sentence, whether to accept a plea to lesser or fewer charges, or whether to grant immunities from prosecution. Prosecutorial decisions made by politicians can become subject to distortion or misconstruction if they are drawn into the ambit of political debate. It is not to the point that such debate may be misconceived or allegations of bias totally groundless. In either situation, public confidence in the administration of the criminal law can be eroded. If there is any such concern in the Northern Territory, I hope this bill will reinforce in the community this government's commitment that the administration of justice will remain free from party political bias.

Decisions on whether or not to prosecute politicians, police officers and senior public servants cause particular difficulty. The public often finds it difficult to understand or accept that, in his prosecutorial role, the Attorney-General acts completely independently from government. While I can assure members of this Assembly that I would never shirk from any responsibility as Attorney-General to prosecute if necessary a colleague or any member of this Assembly, the end result is that Attorneys-General often find themselves damned if they do decide to prosecute and damned if they don't, and public confidence can diminish.

Directors of Public Prosecutions, of course, are not immune from the impact of community and media pressures. Nor indeed, many would argue, should they be, as community attitudes can and should be taken into account in appropriate circumstances. There can be little doubt, however, that independent law officers will be seen as less susceptible to extraneous influences and allegations of political bias than are politicians.

Accordingly, having been mindful of the debate on this issue, not just in this jurisdiction but in others as well and wishing to ensure that public confidence in the administration of the criminal law is maintained to the highest degree, I consider it now the appropriate time for the establishment of the office of Director of Public Prosecutions.

I do not propose to undertake a clause by clause description of the bill. I merely wish to highlight and explain the major parts of the bill. The creation of independence both in fact and appearance is achieved by according the director the status of a Supreme Court judge. In this regard, the provisions contained in clause 4 largely mirror those applicable to the Solicitor-General under the Law Officers Act. It should also be noted that removal from office can occur only if the director is guilty of misbehaviour, is bankrupt or insolvent, or is incapable of performing the duties of the office. Further, the director will not be a public servant.

Detailing more particularly with the functions of the director, clause 12 states the obvious. The director will conduct, with complete autonomy, prosecutions on indictment, as well as deal with committals relating to such offences. By clause 13, the director will also have as a function the conduct of prosecutions not on indictments for indictable offences including the summary trial of indictable offences. The director may also take over prosecutions, not on indictment, for indictable offences brought by another person, and take over any conduct or any proceedings in respect of a summary offence.

The director will have responsibilities for the recovery of pecuniary penalties on the forfeiture orders arising from the conduct of prosecutions. By clause 18, an existing arrangement is continued whereby assistance in this Territory can be given to directors and Crown Prosecutors in Australia or overseas. Clause 25 provides that the director may issue a statement of prosecution guidelines to be followed in the performance of the director's function and also provides for publication of those guidelines.

I have made much of the independence of the director. Part IV clearly sets out the relationship which will exist between the director and the Attorney-General. Provision is made for consultation between the director and the Attorney-General whenever it is considered desirable. The Attorney-General will have a power to give general policy directions, but not as regards a particular case. The director will have the power to seek directions from the Attorney-General including in relation to a particular case. Any direction which is given, however, is to be included in the director's annual report. The purpose of these procedures is to allow guidance to be given to the director over a range of public policy matters in respect of which the Attorney-General and, through him, the government and this Assembly, are better equipped to reflect the prevailing needs and views of the community. A typical example might be whether boys under 16 years of age should be prosecuted for consenting intercourse with girls under 16 years.

There is another very limited range of public policy issues, especially those involving national security, where an official in the position of the director cannot be expected to make the decision. Often the potential consequences of prosecution are so serious that the decision needs to be made at the political level because the government has more ready access to other governments and to information on matters of national security or international concern. Fortunately, cases in this category can be expected to be extremely rare, but it is not hard to think of examples, particularly in respect of international terrorism. It is important to stress that, even

in such extreme cases, the bill leaves the director with an absolutely independent discretion as to whether to seek a direction. This is in keeping with the overriding consideration of the bill, which is to ensure the independence of the director's office.

Cases may arise also where the director should not make a decision. There may be a personal conflict of interest or, for some other reason, the director's impartiality may be compromised about a particular case. If the director is not free to decide impartially, it is unlikely that the public will be satisfied that the director's staff can act in his place. In such a case, the bill enables the director to request the Attorney-General to deal with the case. Again, it is the director who must decide to initiate a request for the Attorney-General to act. For the range of reasons to which I have referred, it is necessary for the Attorney-General to retain what may fairly be described as a 'reserve power' to act in appropriate cases. This is confirmed by the fact that in every jurisdiction in Australia where there is a DPP and also in the United Kingdom, the Attorney-General retains full power to act in prosecution matters. This fact is reflected in clause 21(3).

Clause 29 regulates the rare situation in which the Attorney-General does exercise any of his powers to ensure that the director does not act inconsistently, but again the provision is designed to ensure the parliamentary and public accountability of the Attorney-General of the day. The director is required to include in his report to parliament any case where the director is precluded by this provision from taking any action he otherwise would have taken.

With a view to ensuring some measure of accountability to parliament of the performance of the director's functions, there is a requirement for an annual report to parliament by the director and provisions requiring the director to provide information to the Attorney-General to enable parliament to be informed and questions answered about the functions of the director. I refer honourable members to clauses 30 and 33.

As regards the staff who make up the director's office, although I cannot predict the future, I expect the director's staff will largely be made up of the staff who make up the Crown Prosecutions Division of the Department of Law. That is certainly my desire and the probable result although clearly I would wish to hear from the director on this issue. As regards the director, at this time I have no one in mind to recommend for appointment. I am sure it is the wish of us all that it will be an eminent lawyer with considerable criminal law experience and with the strength of character to bear the extremely onerous and important responsibilities of the position and to gain the respect and confidence of the community.

There is likely to be a cost associated with the appointment of a director. I anticipate, however, that the cost will be offset in part by there being less need to brief out a number of the larger criminal trials although I anticipate that the practice of briefing out some trials will continue. As regards accounting and administrative procedures, it is proposed that services will be provided by the Department of Law.

Finally, this government has always maintained the position that the conduct of prosecutions must be free of any party political interference. The important advantage of the bill before this House is that it will ensure the continuance of independent professional decisions concerning the prosecution of criminal offences and that it will provide clear public assurance of that independence. The cognate bill deals with consequential amendments. I commend the bills to honourable members.

Debate adjourned.

STATUTE LAW REVISION BILL
(Serial 261)

Bill presented and read a first time.

Mr MANZIE (Attorney-General): Mr Speaker, I move that the bill be now read a second time.

This bill is rather straightforward as far as Statute Law Revision Bills go. It has the usual general features: a smattering of terminology changes consequential on changes in other acts; the odd cross-reference correction; more appropriate location of definitions of general application; the repeal of redundant acts; the reinstatement of a provision (section 102 of the Administration and Probate Act) inadvertently repealed; and the correction of errors obvious on the face of the legislation book.

However, there are a couple of matters that I should bring to the attention of honourable members. For instance, because of the present structure of the Abattoirs and Slaughtering Act, it is necessary to renew a licence after it expires or be caught in a catch 22 situation which would have the licence automatically expire on 31 December of the year of renewal. If one were to renew a licence in September, it would expire on the next 31 December regardless. The suggested change will remove this awkwardness.

Honourable members will see that the old Treason Felony Acts of South Australia are to be repealed. These have been effectively overtaken by specific legislation which provides for particular disabilities in particular circumstances, such as the Juries Act which provides that certain convicts cannot be jurors. The general acts should be repealed to avoid any possible legal confusion and replaced with an assertion that there is no disability except as imposed by statute.

There is some real doubt that the Ombudsman (Northern Territory) Act allows for a springing appointment of a person to act from time to time while the Ombudsman is absent from the Territory or from duty. It has been the practice to make a specific appointment every time this is to happen. This is administratively inconvenient. The proposed amendment to the act will bring the Territory into line with the Commonwealth and other jurisdictions where this administrative inconvenience is avoided.

When the Real Property Amendment Act (No 2) 1989 was passed by this Assembly, certain formal words were inadvertently omitted. The matter will be rectified by the amendment in clause 6 of this bill.

As with other statute law revision bills introduced into this Assembly, I invite honourable members to let me know if there is a specific aspect of the bill about which they would like further particulars. If they were to do this, I would be happy to arrange the appropriate briefing. I commend the bill to honourable members.

Debate adjourned.

JUVENILE JUSTICE AMENDMENT BILL
(Serial 272)

Bill presented and read a first time.

Mr REED (Correctional Services): Mr Speaker, I move that the bill be now read a second time.

Mr Speaker, the amendments being put forward in this bill are of rather a technical nature but they are important from the viewpoint of magistrates, police and juvenile justice authorities. They in no way affect the spirit and intent of the Juvenile Justice Act, except perhaps in a reinforcing way. I think honourable members will be sympathetic to the situation of magistrates being woken up during the night by police needing orders so that young people can be placed in juvenile detention centres temporarily, rather than held in police stations. This is where they have been charged with offences but not admitted to bail.

By 'young people' I mean a child who has not, or apparently not, attained the age of 17 years. The Juvenile Justice Act refers to them as juveniles. The problem with the procedure as presently set down in section 32 of the act is that, having been woken up and having agreed to make orders, magistrates must then wait up for police to come to their homes to collect written orders. Sometimes the waiting time can be several hours. Another aspect of this procedure is that the act requires juveniles charged with offences and not admitted to bail, to be taken to a detention centre 'as soon as practicable.'

The amendment proposed at clause 3 will enable better adherence to this requirement by allowing police to obtain detention orders directly by telephone where it is not practicable to seek orders in person. Under the new procedure, police would telephone a magistrate at home and act on the magistrate's verbal instructions in transferring the juvenile from police custody to detention. This procedure would apply at night, on weekends, after hours and so forth. We will be dispensing with the need for an order in writing. This is a much more efficient arrangement, benefiting magistrates, police and, most importantly, the juveniles who are facing charges.

Clause 4 proposes an amendment which is important because it rectifies an undesirable anomaly. As the situation presently stands, a juvenile offender undergoing a community service work order can end up in jail for up to 7 days for a breach of the work order. This would happen in an almost automatic way because of the mandatory terms of section 25(5) of the Criminal Law (Conditional Release of Offenders) Act. That is the act which provides the legal basis for the community service work scheme. The community service scheme was designed for adult offenders and the proven effectiveness of the scheme derives from the fact that offenders who undertake a community service order and do not abide by the conditions of the order, usually go to jail.

As its name implies, the scheme has considerable benefits for the community in terms of the great volume of unpaid work carried out by offenders. It is also an extremely effective program from an offender treatment perspective. For those sorts of reasons, the Juvenile Justice Act was changed last year to extend the community service work scheme to juvenile offenders. The trouble is that the mandatory provisions in the Criminal Law (Conditional Release of Offenders) Act relating to prison for breaching community service orders now also apply to juveniles. This was

never meant to be the case. Such a situation runs contrary to modern offender treatment philosophies for juveniles. Honourable members will appreciate the need to resolve this inconsistency.

This bill proposes giving the juvenile court power to order imprisonment at its discretion, notwithstanding the mandatory provisions at section 25 of the Criminal Law (Conditional Release of Offenders) Act. Where prison is not ordered, the court could then go on to deal with the juvenile for the offence in respect of which the community service order was originally made.

Finally, this bill proposes amending section 91 of the Juvenile Justice Act so that juvenile detainees who abscond while on leave of absence from a detention centre can be apprehended and prosecuted for absconding. While section 91 provides that a detainee shall not abscond from lawful detention at a detention centre, it does not meet the situation where a detainee absconds while away from the detention centre on approved leave of absence. Juveniles in detention can be granted 'day leave' in circumstances such as attendance at outside schooling, work experience, visiting home and so on. Police powers to apprehend are in question in such situations and, recently, a court dismissed absconding charges because the juvenile concerned had not escaped directly from the detention centre.

In conclusion, I will reiterate the concerns which underlie the need for these amendments. In the first case, the great concern is to ensure that juveniles are not held in police cells or detained for any longer than necessary at police stations, once they are charged and not bailed.
Another concern is related to the prospect of a child going to prison. It is even more alarming to think that a child might suffer imprisonment through an oversight in legislation that is meant to protect children. I do not need to remind honourable members that prisons are not generally suited to juveniles. For a juvenile, the experience can be traumatic, perhaps permanently damaging and unlikely to have any beneficial effect on offending behaviour. A third concern is to dispel any notion among juvenile detainees that leave of absence is an opportunity to do their own thing for a while. Penalties for absconding were dramatically increased about a year ago and these will apply to detainees taking advantage of leave of absence to escape. I commend the bill to members.

Debate adjourned.

SUSPENSION OF STANDING ORDERS

Mr PERRON (Treasurer)(by leave): Mr Speaker, I move that so much of standing orders be suspended as would prevent the Taxation (Administration) Amendment Bill (Serial 266) and the Stamp Duty Amendment Bill (Serial 267) - (a) being considered together and 1 motion being put with regard to, respectively, the second readings, the committee's report stage and the third readings of the bills together; and (b) the consideration of the bills separately in the committee of the whole.

Motion agreed to.

TAXATION (ADMINISTRATION) AMENDMENT BILL
(Serial 266)
STAMP DUTY AMENDMENT BILL
(Serial 267)

Bills presented and read a first time.

Mr PERRON (Treasurer): Mr Speaker, I move that the bills be now read a second time.

The purpose of these bills is to abolish stamp duty on documents initiating actions in the various Northern Territory courts. It is proposed that the current stamp duty system be replaced with a system of court fees similar to that existing in other jurisdictions. The fee system overcomes some of the legal difficulty associated with the imposition of stamp duty on such documents and it will be familiar to the legal community. Such a system is now being developed. The abolition of stamp duty is to coincide with the commencement of the proposed fee system. I commend the bills to honourable members.

Debate adjourned.

PLUMBERS AND DRAINERS LICENSING (VALIDATION) BILL (Serial 265)

Continued from 27 February 1990.

Mr LEO (Nhulunbuy): Mr Speaker, the opposition supports this legislation. As has been accurately described, it is validating legislation and, unfortunately, if we do not pass it tonight there will be no registered plumbers remaining in the Territory.

Mr Speaker, I have spoken in this House before about our reliance on validating legislation. It is being introduced less frequently, but I believe that it is worth repeating that we should not be enacting validating legislation. I do not think that it makes for good administration nor for a sound legislative structure. I understand the necessity for it, but I would ask all ministers to ensure that, as far as is possible, their departments understand the law and ensure that the process and the letter of the law in the Northern Territory is followed.

Motion agreed to; bill read a second time.

Mr MANZIE (Attorney-General)(by leave): Mr Speaker, I move that the bill be now read a third time.

Motion agreed to; bill read a third time.

ADJOURNMENT

Mr COULTER (Leader of Government Business): Mr Speaker, I move that the House do now adjourn.

Mr COLLINS (Sadadeen): Mr Speaker, I would like to raise a matter which is certainly of interest to me and I trust that it will be of interest to some other members of this Assembly. Last Sunday, I had a meeting with an Aboriginal man who claimed to be a traditional owner of land in the Kulgera area. He put to me some problems which he and others were having with the way in which the Aboriginal Areas Protection Authority was handling a matter of considerable interest to them. The matter related to an area near Kulgera where there is a rock deposit of dolomite, which is an igneous rock type. One of its key features is that it is extremely hard. The area is also believed to contain 1 of 2 deposits in the world of pure jet-black rock. It is believed that, if pieces of a suitable size can be obtained - pieces of about 3 m^3 - there will be a very large and valuable market for this type of rock. Figures put to me indicated that, if large

enough pieces of the rock could be obtained and quantities could be maintained, the result could be an export industry worth something like $10m to the company involved and, of course, the Aboriginal people would receive royalty payments.

After talking to this Aboriginal man, who claimed that he was the leading traditional owner of the area, and speaking on the phone to a man who claimed to be the second most important traditional owner of the area, it is with considerable pleasure that I am able to refer to the new Aboriginal Sacred Sites Act. You may recall, Mr Speaker, that I introduced a private member's bill which proposed various measures to eliminate some of the problems relating to the previous Aboriginal Sacred Sites Act. One of these measures was a mechanism which would enable the Aboriginal people to determine who were the actual traditional owners for an area. They work it out in their own particular way. Of course, my private member's bill was defeated. However, the government picked up that basic principle in the current act.

It was a pleasure to be able to tell the 2 Aboriginal gentlemen that they should go to the governing body of the Aboriginal Areas Protection Authority, which is made up of mainly Aboriginal people, to describe the problems which they felt they were having with officers of the authority, and have the matter straightened out. I spoke to one of the gentlemen today. He intends to arrange a meeting with the Deputy Chairman of the Aboriginal Areas Protection Authority at which he will indicate his problems and seek a clear direction in respect of actual traditional owners and the people of power and authority in that area.

From what I have been told, it would seem that the executive person with the Aboriginal Areas Protection Authority was looking for a rather different set of traditional owners and custodians. I am not saying that I have determined that the people to whom I spoke are the custodians. They claim to be. I do not believe they would approach me with those claims if they were not but, by the same token, there is a mechanism in the new act which will allow for the situation to be resolved in the Aboriginal manner and for the correct people to be consulted.

The gentlemen put it to me that they had given directions to a certain officer of the Aboriginal Areas Protection Authority that they wanted the mining to go ahead. They had looked at the area with the company involved, which had mapped and surveyed it, and they had told the company of the location of the sacred sites which they wanted protected. The company had agreed to provide that protection. Those Aboriginal people want the mining to go ahead because, as they put it to me, they are very poor. They said that they have inadequate housing and insufficient food to feed their children properly. They are looking at receiving royalties and at the possibility of employment in relation to the project. of being involved in the work situation. It looks like an exciting venture to me. I hope that, when it gets off the ground, as I believe it will with the new act in place, good quality rock will be found in suitably-sized pieces. It will be good for both Australia and the Territory to be able to enter such a market.

Mr HARRIS (Education): Mr Speaker, I would like to clarify some matters which have been raised in relation to my portfolio. The member for Stuart raised some of those matters last night, and I would like to take the opportunity this evening to provide him with the necessary information. I invite him to look at it and to contact me if he has any problems with the answers which I am about to give to his questions. I will go through the questions that he asked.

Last night, the member for Stuart stated that several teachers in remote areas have still not been paid higher duties allowance. One teacher received a higher duty allocation only, and no other salary. Delays have been experienced in processing paperwork associated with payment of HDA or higher duty allowance. All teachers in HDA positions in remote areas will be receiving their higher duty allowance by payday 15 March. Payment is retrospective to the date of commencement of higher duties. The teacher who received higher duty allowance and no salary had returned from leave without pay, and salary was not commenced until notification of commencement was received. However, HDA was processed and salary has been resumed.

Mr Speaker, with the indulgence of the Assembly, perhaps I could seek leave to have these questions and answers incorporated in Hansard. That would save a great deal of time.

Leave granted.

Question: In one region salaries and recruitment are handled by one officer who is overworked.

Answer: This region does not have both recruitment and salaries functions handled by one officer. There was a recent staff shortage in the personnel area due to the job evaluation project and assistance may have been requested. However, the recruitment and salaries sections are separate and the respective duties performed by different officers.

Question: Delays have been experienced in appointing auxiliary staff of up to 6 weeks - Yuendumu.

Answer: Recruitment procedures for NTPS positions are:

(1) request to employ submitted by the school

(2) endorsement by the relevant superintendent

(3) approval sought from personnel branch

(4) commencement.

In Yuendumu's case this year some requests to employ were submitted on 7 February and approved 20 February while other requests were submitted 19 February and approval not yet received. Some people commenced work prior to the above process beginning and hence delays in payment were incurred. Delays in the above approval process are longer at the beginning of the school year due to the lack of advance notice of resignation etc being available to the principal over the holiday.

Question: 3 incidences of teachers from down south being recruited with only a few days notice arrive with no accommodation for families etc.

Answer: Most staff are recruited for commencement in January. Those for operations south are brought to Alice Springs, housed in a motel pending all or some of the following (depends on their ultimate destination):

° The induction course

- The arrival of their effects
- The allocation of housing (head lease or private rental pending lands and housing allocation)
- Changing licences to NT, signing up for bush orders and freight and subsidy, opening bank accounts for receipt of pay, etc.

Induction is in 2 parts - central held in Alice Springs, regional in either Alice or Tennant Creek for Barkly teachers.

For those remaining in Alice Springs town, the move from the motel to their home is usually dependent on the arrival of their effects. Single officers go into head-leased flats whilst those with children go into privately rented houses pending availability of Lands and Housing accommodation.

Analysis of induction evaluation sheets indicates that recruits in 1990 were unanimous in their appreciation of the support given to them as they made the transition from interstate to the NT.

Officers recruited during the year go to either Alice or Tennant Creek for attention to (if moving to a remote community) banking, food ordering matters etc before going to their school community; if town based, they need to await the arrival of their effects.

Question: One teacher reposted to Borroloola after arriving in Alice to take up a position.

Answer: Either late resignations or a series of offers of postings being rejected can cause recruitment action late in proceedings. It is preferable to have the teacher on-site as quickly as possible, even if this means motel accommodation pending the arrival of effects or finding suitable housing.

All staff for Borroloola were recruited in December/January and thus came to Alice Springs for central induction before moving to Tennant Creek for the regional induction and thence to Borroloola. No officer was first offered Alice Springs and then reposted to Borroloola.

Question: Housing Commission houses in Alice empty and only require minimum repairs and maintenance to bring them up to scratch. Why can't Education and Housing Commission get together and make these available to teachers as interim measure?

Answer: Teachers have not complained about the present system of temporary accommodation on arrival nor has there been any concern expressed at the waiting time for Housing Commission housing.

The Secretary of the Department of Education will request the Assistant Secretary South to consult with the Assistant Secretary Lands and Housing to see if there are possibilities to reduce waiting time for teachers.

Question: Mount Allen - Health Clinic. He told Mr Hatton that the minister was holding it up because he has not signed the cheque.

Answer: The department has no knowledge of this matter.

Question: Woola Downs - 20 children without a bus, almost enough students to warrant a school.

Answer: Current update.

The identified 10 children of school age are still residing with relatives at 8-mile camp to allow them access to school. Recent discussions indicate the probability of further families moving from 8-mile camp (Pmara Jutunta) to reside at Woola Downs.

Conveyance allowance has been offered to the Woola community. This offer has not yet been taken up.

Question: Anningie bus has broken down twice.

Answer: This bus has had several breakdown problems during the past 4 weeks. On all occasions with the exception of 22 February, the contractor has overcome these by utilising a stand-by bus. The breakdown on 22 February was alleviated by using private vehicles. The problem was resolved by the contractor the following day.

The school principal has followed all reporting procedures to Transport and Works who have carriage of bussing contracts.

Question: Casuarina Secondary College - 200 more students at beginning of year and sufficient staff have only just been appointed.

Answer:

1. Staff were provided at the beginning of 1990 on the basis of demographer's projections drawn up in 1989 indicating 976 students.

2. Staff allocated on this basis, including 2 over-establishment positions for night school, were:

   67 Band 1 teachers
   17 Band 2
    3 Band 3
    1 Band 4

3. Additional staff were also approved for semester 1, on the basis that enrolments are traditionally higher in the first semester.

4. The 1990 School year therefore started with

   70 Band 1 teachers
   18 Band 2
    3 Band 3
    1 Band 4

   These teachers were all in place for the beginning of term 1

5. On 9 February the school reported that student numbers were on the increase.

6. After assessment of numbers an additional 6 Band 1 staff were approved for semester 1 on 19 February.

7. 4 of these extra Band 1 teachers were in place by 28 February. One other has been appointed but is awaiting formal transfer notice, and an offer of employment has been made to fill the remaining position.

8. The NT does not have zoning. It is therefore very difficult to make precise projections. It is normal practice to finalise staffing at the end of February. By then late arrivals have enrolled and enrolments have settled to the point where staff transfers can be effected without disadvantaging schools, secondary pool staff can be confirmed and additional staff recruited where needed.

Mr HARRIS: Mr Speaker, one issue raised by the member for Stuart has not yet been covered. It concerns Nyirripi School and, in fact, the honourable member has written to me in relation to it. It indicates very clearly that people can get things out of perspective and can blame the Northern Territory government when, in fact, blame should not be levelled at the Northern Territory government at all.

The Nyirripi Council originally accepted the Mallapunyah classroom in August 1989. We were going to move that classroom down to Nyirripi. At that time, the council's accountants were requested to forward the relevant funds to the Department of Transport and Works. The council subsequently expressed some reservations about accepting the classroom in view of its additional accommodation requirements. That necessitated a further visit to the community by departmental officers to explain the terms under which the Mallapunyah classroom was to be provided. Having once again agreed to the single classroom, numerous requests to the council were necessary before its written acceptance was received in November 1989. Following further communication with the council's accountants, the relevant funds were eventually forwarded to the Department of Transport and Works in January 1990.

Can I just say that these are the sorts of issues which need to be clarified because the government has a responsibility to ensure that the needs of people in isolated communities are catered for and that students have the opportunity to utilise appropriate classroom accommodation. When we have a policy of consulting with the communities and involving them in the decision-making process, it is very difficult when they can in fact frustrate the government in its efforts to provide the necessary facilities. That is of concern to me.

I am happy to address particular issues which are raised and the government has always indicated its willingness in this regard. I am happy to have any questions raised with me by the members opposite and I will address them during the course of these sittings. Such is the normal practice of ministers of this government.

Motion agreed to; the Assembly adjourned.

Mr Speaker Dondas took the Chair at 10 am.

LEAVE OF ABSENCE

Mr SMITH (Opposition Leader): Mr Speaker, I seek leave of absence for my colleague, the member for Stuart. The honourable member has had to attend a Family Law Court matter in Cairns.

Leave granted.

PETITION
Court Sentences

Mr POOLE (Araluen): Mr Speaker, I present a petition from 1947 citizens of the Northern Territory requesting that court sentences more adequately reflect the severity of crimes. The petition bears the Clerk's certificate that it conforms with the requirements of standing orders. I move that the petition be read.

Motion agreed to; petition read:

> To the honourable the Speaker and members of the Legislative Assembly of the Northern Territory, the humble petition of certain citizens of the Northern Territory respectfully showeth that they wish court sentences to more adequately reflect the severity of the crimes committed. Your petitioners therefore humbly pray that the Legislative Assembly include a minimum sentence in the case of sentences relating to violence, and your petitioners, as in duty bound, will ever pray.

STATEMENT
7.30 Report Allegations

Mr HARRIS (Education)(by leave): Mr Speaker, I thank honourable members and the Leader of the Opposition. I want to read into Hansard a letter which I have written and sent this morning to Murray Travis, the National Editor of the 7.30 Report. There is concern among teachers throughout the Northern Territory that there may be some substance to allegations which are being made and I want to assure teachers and the public generally that all procedures have been handled correctly and that there should be no reason for concern whatsoever. The letter reads as follows:

> Dear Mr Travis,
>
> In instalments delivered each night this week, the Darwin edition of the 7.30 Report has developed a story about a conspiracy of 'old boys', which it claims is operating within the Education Department on Groote Eylandt. The network, according to the 7.30 Report, is 'as vicious and clandestine as any group you could find in the Mississippi heartland'.
>
> The story which has emerged has been distorted to such an extent and is demonstrably inaccurate in so many important details that the result is tantamount to a fabrication.
>
> It has been aired as the lead story in each edition of the Darwin 7.30 Report this week and has been accompanied by banner headlines presented in promotional spots and ABC radio news items which have been broadcast nationally.

I have been interviewed twice by reporters from the program. One of those interviews has been broadcast. I have made my press secretary available to discuss any matters of concern to the 7.30 Report, yet on each night, the broadcast program has contained glaring omissions of fact.

On Tuesday and Wednesday of this week, I have detailed these facts in the Legislative Assembly of the Northern Territory and requested acknowledgement of each omission from the producers of the program. They have not done so. Specifically: on Sunday, my press secretary contacted the Darwin head of the ABC television, Mr Bill Fletcher, who relayed to the producers of the program a copy of a letter signed some weeks before by 22 of the 32 teachers in Groote Eylandt schools. The letter was in itself strong evidence against misconduct, but it was not mentioned in Monday's report.

On Tuesday I referred to the letter in the Legislative Assembly (please refer to Hansard) and tabled 3 more letters which had arrived in my office that morning, refuting the allegations raised in the program. 28 out of 32 teachers on the island had signed those documents and further inquiries revealed 3 of the remaining teachers who had not signed were new to the island and had not been asked by the organisers of the letter to participate.

That day, Mr Les Rochester of the Darwin 7.30 Report interviewed me on the steps of the Assembly. Angered by the tone of his questioning, I terminated the interview, offering to appear live on the program. As I walked to where other reporters were waiting, I heard him call: 'You're dead tonight'.

That afternoon, my press secretary explained the proper context of the pivotal letter from Ian Cluney (referred to on air the night before) to the producer of the program, Dennis Driver. My press secretary explained the context of the beer coaster which also had been presented on air, and followed up by providing a clipping from a Lions Club newsletter, which demonstrated the inaccuracy of the claims broadcast in relation to the coaster by the 7.30 Report.

The producers of the program scrapped the interview recorded by Mr Rochester and (to their credit) accepted my offer to appear live on the program. Nevertheless, they did not acknowledge the significant inaccuracy which had been demonstrated to them that afternoon. Again they repeated their allegations, which they claimed (on air) had been substantiated by a teacher (not named), who had called by telephone that day.

On Wednesday, I tabled in the Legislative Assembly material sufficient to demonstrate the veracity of my claims about the above mentioned letter and coaster. I complained about Mr Rochester's behaviour (again, please see Hansard) and I called on the producers of the program to acknowledge the facts which I had presented. Again, they did not.

On Wednesday evening the program announced it had new evidence, and presented an interview with a female teacher, said to have been 'sacked' from Groote Eylandt in 1984. I do not wish to cause discomfort for the lady concerned, but a simple phone call to the local Catholic Education Centre and others among her previous employers would have been sufficient to establish her record.

It is difficult to believe that checks of this kind, which would be prudent in the preparation of any report, were not carried out. If they had been, I am sure the interview would not have been broadcast. I would like to think that instead, the many outstanding inaccuracies would have been withdrawn.

Perhaps it is relevant to mention that, within minutes of the broadcast, a member of a non-government school council called my office to express concern about the actions of the program in screening the interview, which had been conducted by Mr Rochester.

As a result of the process undertaken by the Darwin 7.30 Report this week, I have borne the brunt of serious allegations levelled night after night against teachers, officers of the Northern Territory Department of Education, junior and senior, and myself.

A great deal of evidence, to which I have not referred in this letter, all supports the facts as I have given them to the Legislative Assembly of the Northern Territory, the 7.30 Report and, now, to you.

Each serving departmental officer on Groote Eylandt, along with all those who have gone before, deserve nothing but abject apologies from the 7.30 Report. The name of the Territory Education Department has been blackened by the reports screened here in the Territory and carried throughout Australia on ABC radio. Further apologies must go to the Secretary of the Northern Territory Department of Education and to his senior officers and staff, particularly those who have served in the Schools North Branch.

It has been relayed to me that already, individuals have sought legal action against the 7.30 Report in Darwin as a result of the program screened this week.

I request your response at the earliest opportunity. The Secretary of the Northern Territory Department of Education made an offer to Mr Rochester 1 week before the start of this affair. He offered to appear for interview on all matters, provided information about the questions was relayed in advance to him for legal consideration.

I reiterated this offer in person to Mr Driver immediately after our live interview on Tuesday and I urged him to accept.

That offer remains open and, if you remain unconvinced of the detail I have provided for more than 1 hour after you receive this letter, I suggest you avail yourself of that opportunity by contacting Mr Geoff Spring for a personal briefing (ph: 895858).

Yours sincerely,
Tom Harris.
Dated 1/3/90.

I thank honourable members for allowing me to make this statement. It is important that we inform teachers of issues when they come to hand, but not in the manner adopted by the 7.30 Report on this occasion. Reports must be accurate

Mr Speaker, I move that the Assembly take note of the statement.

Motion agreed to.

PERSONAL EXPLANATION

Mr TUXWORTH (Barkly)(by leave): Mr Speaker, in an interview during an ABC news report this morning, the Deputy Leader of the Opposition admitted to the fact that he himself had smoked pot at some time and that his view was that probably most members of the Legislative Assembly had smoked it too. Mr Speaker, I would like to place on the record the fact that I have never smoked pot. I do not condone the smoking of pot and I would not recommend it to anybody else.

Mr Speaker, I would also like to refer to the fact that, in a newspaper article the other day, the Deputy Leader of the Opposition implied that many school students in Darwin would probably have a bong in their bedrooms. I would like to say, Mr Speaker, that my son does not have a bong in his bedroom.

NOTICE OF MOTION

Mr SMITH (Opposition Leader): Mr Speaker, I give notice that, on the next sitting day, I shall move that:

1. this Assembly censure the Minister for Industries and Development for:

   (a) using this Assembly as a vehicle to make false criminal allegations, which he has concocted, against a member of this Assembly, citizens of the Northern Territory and others;

   (b) failing to protect the interests of workers at the Trade Development Zone; and

   (c) failing to place allegations of criminal activities, of which he is aware, before the Northern Territory Police; and

2. this Assembly therefore call on the minister to resign forthwith.

Mr COULTER (Leader of Government Business): Mr Speaker, pursuant to standing order 95, the government accepts this notice as a censure motion. I ask that all questions be placed on the Question Paper.

MOTION
Censure of Minister for Industries and Development

Mr SMITH (Opposition Leader): Mr Speaker, I move that:

1. this Assembly censure the Minister for Industries and Development for:

   (a) using this Assembly as a vehicle to make false criminal allegations, which he has concocted, against a member of this Assembly, citizens of the Northern Territory and others;

   (b) failing to protect the interests of workers at the Trade Development Zone; and

(c) failing to place allegations of criminal activities, of which he is aware, before the Northern Territory Police; and

2. this Assembly therefore call on the minister to resign forthwith.

Mr Speaker, the appropriate time for this particular motion to be debated would have been next week, after we received the Federal Police report. Unfortunately, because of the government's failure to agree to a special sitting day, I have had to bring this motion on today.

In a moment, I want to bring an indictment against the Deputy Chief Minister, and I use the word 'indictment' advisedly because the honourable minister has turned this parliament into a court. The Deputy Chief Minister used this parliament to swear upon his parliamentary oath that a crime had been committed. That crime was conspiracy. His testimony was unqualified. It was explicit and presented under the oath of this parliament as fact. This testimony was passed to the Federal Police.

Mr Speaker, to put it bluntly, 2 careers in this parliament hang on the report of the Federal Police - my career and the career of the Deputy Chief Minister. Last night, as I have said, the government decided that this parliament would not sit to receive the report of the Federal Police. Yet, I am accused of a crime. I have been indicted by the minister yet I am told that this court will not sit again for 2 or 3 months to enable me to put forward my case. If I were to accept that injustice, I would accept it on behalf of people in the Northern Territory and I would accept it for every man and woman who elected myself and others to this parliament. I will not accept that injustice, Mr Speaker. There are standards of behaviour and propriety which require that these matters be raised, and raised today. Today, is the day on which the minister has to be accountable for his actions.

Mr Speaker, I present the following 8-point indictment of the Minister for Industries and Development:

1. that he, as a minister of the Crown, with his advisers, laid false criminal charges against citizens of the Northern Territory and others;

2. that, on 20 February, he publicly laid those charges in depth and in detail, falsely claiming that they were supported by evidence;

3. that, on the same day, he laid false information with the Federal Police to cause those charges to be pursued against citizens of the Northern Territory and others;

4. that the charges were false in each and every particular;

5. that he acted throughout with the knowledge, consent and the support of the Chief Minister;

6. that he did possess information relating to serious criminal activities concerning persons residing in the Northern Territory and did not lay that information with the police;

7. that he repeatedly and falsely claimed that these criminal matters were being properly investigated; and

8. that his refusal to lay that information exposed persons residing in the Northern Territory to continued risk.

Mr Speaker, let us look at items 1 to 3 of the indictment. The privilege of this parliament protects the minister from only 1 thing, and that is civil action. It does not and should not protect him if he lied in laying criminal charges against another member of the parliament. That the minister lied is now abundantly clear. I quote the lie from the Hansard of the first day of the sittings last week.

> Mr Speaker, I thank the honourable member for his question. I am indeed aware of such a meeting and I invite close attention to this matter by the Leader of the Opposition. The meeting took place in the office of our federal member in the House of Representatives, Mr Warren Snowdon, on Friday 2 February. The Chinese national concerned, a guest worker at the Hengyang factory, Miss Huang, left Darwin for Melbourne 2 days later. With Mr Snowdon at that meeting was the Leader of the Opposition; a migrant resettlement officer; a de facto union organiser funded by the Department of Immigration and Ethnic Affairs, Ms Trish Crossin; an interpreter from the Migrant Resource Centre; and others, at various times, whose names had been made available to me but whom I will not name in these circumstances for reasons which will become apparent.
>
> During the course of this meeting, of which many members of the media are aware and which they describe as clandestine, a strategy was generated to cause maximum political damage to the Northern Territory government and the Trade Development Zone. That, however, is not a cause for concern on its own. What is of major concern is that an integral part of this conspiracy involved a deal being made with a Chinese national in Darwin on a skills transfer scheme to secure permanent Australian residence. This shabby deal involved the Chinese national adopting a public course of action on a number of allegations about employment and living conditions at the Hengyang factory and the provision of information and documentation along such lines to the Australian Labor Party.
>
> In return for this, Mr Snowdon offered his influence, as a member of the federal parliament, to secure permanent Australian residence for Miss Huang. This would involve him making approaches on her behalf to the federal Immigration Minister, Senator Robert Ray.

So it goes on, Mr Speaker.

In all of that statement by the Deputy Chief Minister, there is just 1 truth. That is that 2 February was a Friday. Note, Mr Speaker, that the honourable minister did not say that he had been informed, that it was alleged or that he had reason to believe. He presented to this parliament an unqualified and explicit statement of facts. He then announced that he had presented these facts, with substantiating detail, to the Federal Police. Another lie, Mr Speaker. There was no substantiating detail. The minister had no facts to present to the Federal Police and he presented none.

Mr Coulter: If you only knew.

Mr SMITH: Otherwise, he is accusing the Federal Police, who have been to see me, of not doing their job properly. The way the minister is going, I would not be surprised if we were told soon that they had joined the conspiracy as well.

Mr Speaker, this was all part of a broader political strategy, as his office was proud to announce in the paper from time to time. That broader political strategy was to move attention away from the Trade Development Zone and to direct attention at people who were doing their jobs, innocent people like Trish Crossin, who was simply doing her job as a union organiser, and innocent people like Huang Hangying, who decided that she would no longer put up with what was happening at the Trade Development Zone. The honourable minister resolved to undertake this course of action without any thought for those who might get hurt in the process and without any thought that innocent people might get caught up in it.

Mr Speaker, indictment 4 is that the charges were false in each and every particular. Within hours of the conspiracy accusation being made, the minister's conspiracy charges had disintegrated. On 2 February, when the meeting was supposedly taking place, Warren Snowdon was at Yuendumu, I was having lunch with Graeme Lewis, and the Chinese national who was the key figure was in Melbourne. The next day, the minister informed the press - and I draw his attention to the defamation laws - that the charges were true in every detail except one. That detail was the date upon which the meeting took place. It had occurred, he said, on 26 January, Australia Day, a week earlier. Again, within hours, this charge also disintegrated. On 26 January, Warren Snowdon was engaged on public appointments in Darwin until midday, and then he flew to Alice Springs. The next day, the honourable minister revised his charges once again. I quote from Hansard: 'The Leader of the Opposition can deny he was there on 29 January with the federal member if he wants to'. Mr Speaker, I do.

In other words, in order to get all the parties together, the minister moved the date from 2 February to 26 January to 29 January. He also had a problem with 29 January. I quote the minister's words from Hansard: 'It is an established fact, which was widely reported at the time, that Miss Huang departed Darwin for Melbourne on 28 January'. Now we come to the most celebrated quote from Hansard of all, and possibly of all time: 'It may well be, Mr Speaker, that they saw in advance the problems that were likely to occur and put their bodies in certain places and certain positions at certain times'. A joke, Mr Speaker! Unfortunately, Fretilin had failed to take similar precautions and became part of the conspiracy. But, without any meeting and merely by skilfully placing our bodies in certain places and positions at certain times, could we still have conspired to commit the crime? The minister has asked us to prove that we were not at a meeting that did not take place. I will say again: the minister has asked us to prove that we were not at a meeting that did not take place. We have, by his own admission, proved that. Now, he asks us to prove that we did not take part in a conspiracy that did not take place.

We come now to the crux of the matter. Miss Huang Hanying, Ms Trish Crossin, Warren Snowdon and I have all publicly and without privilege stated the truth: there was no conspiracy, there was no meeting and there was no deal. Warren Snowdon and I have gone further: publicly, we have accused the minister of telling lies. The Northern Territory accepts the truth as a defence in cases of defamation and libel. We have publicly accused the minister of lying. He has not responded in public because he cannot hope to use the truth as his defence.

Indictment 5 is that he acted throughout with the knowledge, the consent and the support of the Chief Minister. I need only to quote from Hansard of 22 February when the Chief Minister said: 'I have been aware of the Minister for Industries and Development's activities and information that he has gathered in the course of the recent heightened interest in matters

related to the Trade Development Zone. I am very pleased with the way the minister is handling his portfolio'. He was aware of the minister's activities. He was aware of the information and pleased with it. He was pleased with the minister who had lied to the parliament. He was pleased with the activities of a minister who had presided over the most appalling abuse of human rights in recent Australian employment history, pleased with the activities of a minister who failed to correct that appalling abuse of human rights when it was brought to his attention, and pleased with a minister who refused to take responsibility for the actions occurring at the Trade Development Zone.

Indictment items 6 and 7 are that he did possess information relating to serious criminal matters concerning persons residing in the Northern Territory and did not lay that information with the police. Repeatedly and falsely, he claimed that those criminal matters were being investigated by the appropriate authorities. As the House knows, the minister held a media conference on 15 February. In the course of that conference, the minister said detailed questions related to the Trade Development Zone would be answered by his personal staff and that his personal staff had conducted an investigation into specific allegations regarding the Chinese workers at the zone. At the conference, the minister was asked whether there would be criminal charges. The minister's answer was: 'There may well be'.

Subsequently, in answer to detailed questions, the minister's press secretary elaborated on that. He had received allegations relating to extreme coercion, bullying, intimidation and financial skimming. Hansard shows that, on 22 February, the minister was asked: '... has the evidence gathered by his press secretary been laid before the Northern Territory police ...?' The minister replied that investigations into those allegations were continuing. The investigations, which are currently proceeding, are being conducted by the DIR and Coopers & Lybrand. Neither have the brief nor the powers to investigate extreme coercion, intimidation or bullying. I doubt whether, in fact, Coopers & Lybrand has powers to investigate the financial skimming charges, particularly the question of whether money appropriated from the women's salaries for household expenses and food had been properly accounted for.

To give an indication of the scope of that question, for a household of 8 people, 4 people in each bedroom of a 2-bedroom flat, $830 a week was taken out for food and household expenditure. But no one so far has been able to find proper and appropriate accounting for that money. In other words, there was no investigation into these activities. The House knows that it was not until I laid the allegations made by the minister's own press secretary before the Northern Territory police that the matters were placed under investigation.

Indictment 8 is that his refusal to lay that information exposed persons residing in the Northern Territory to continued risk. The minister's refusal to call in the police was deliberate and conscious. He concedes that he was aware of allegations of serious abuses of fundamental civil rights. The only certain protection he could offer was the protection of the law. He refused that protection. Worse than that, he fuelled fear among those workers by accusing Huang Hanying of conspiring to cause damage to the state. His press secretary has now compounded the fear by naming the interpreter who translated the grievances of workers. Yesterday, the minister and those responsible at the Trade Development Zone drew comfort from the fact that Trish Crossin had met with a group of Chinese workers. There is no comfort there for the minister. It was her job to talk to the Chinese workers. It was her job to listen to their grievances. It was her

job, and thank God she did it. And thank God also that other workers, Australian workers in the Trade Development Zone were sufficiently concerned about the working conditions of Chinese workers to go to their union and express their concern. That was what got this matter going. I understand that that is something that we will hear more about in the next 24 hours or so. If Trish Crossin and those Australian workers had not done their job, then the revolting and appalling subjection of those women would be continuing today.

I want to warn the honourable minister at this stage. If he dips into his bucket of filth again today, everything he says will be extracted and laid before the proper authorities. Specifically, I mean the Federal Police.

Mr Coulter: This is not a threat of intimidation, is it?

Mr SMITH: Specifically, I would ask the honourable minister to be aware of the crime of creating a public mischief.

Mr Speaker, I turn from the specifics of the indictment to something far more fundamental and widespread in the Northern Territory. In these events of the past 4 weeks is to be found both the problem and its solution. The problem is fear, fear of speaking out, fear of being known and fear of losing one's job. It is something that the honourable minister has worked into the state of an art form. Our society in the Northern Territory has been hollowed out by this government, through fear. The fear that stops a public servant from reporting an abuse is the same as the fear which stops a businessman fingering a rort. When a person has lived in fear long enough, he becomes resigned to it. He expects the abuse, he predicts the rort, and what he expects and predicts comes true. But every now and then, something weird happens. Someone, somewhere stands up and says 'No', and they walk out into the light and tell us how it is and, at that moment, the system turns vicious. The system recognises the threat and bears down on that individual with all its weight.

Huang Hanying, alone and unassisted, walked out into the light and said 'No', and look where that has brought us, Mr Speaker: face to face with ourselves. Huang Hanying said 'No', and a minister of the Crown charged her with being part of a criminal conspiracy. Huang Hanying said no more of this; no more of putting up with working 48 days without a break, no more of working for up to 12 hours a day on each of those 48 days. She said she did not want it, was fed up with it and was not prepared to put up with it any more. She walked out - and a minister of the Crown charges her with a criminal conspiracy. That is the sort of fear, the sort of McCarthyist tactics that the Northern Territory government has been trying to put in place in this particular episode. Let me read a quotation to you, Mr Speaker, from another part of the world:

> Public statements about reality, the reporting of violations of human rights and, above all, the unmasking of the official story, are considered subversive activities. Thus we come to the paradox that whoever dares to report abuses becomes, by this very act, a culprit of justice.

I will repeat that last sentence:

> Thus we come to the paradox that whoever dares to report abuses becomes, by this very act, a culprit of justice.

Mr Speaker, that describes precisely Huang Hanying's situation. She, by daring to report the abuses at the Trade Development Zone, has become a culprit of the honourable minister's concept of justice.

That quotation is taken from a report written by Father Ignacio Martin Baro, shortly before he was murdered by a death squad in El Salvador. Thankfully, we have not reached that stage in the Northern Territory but, when we see McCarthyist activities like this before us, we are starting down that road.

Mr Speaker, the motion before the House today is a censure motion, but what honourable members are actually being asked today is to approve some very important principles. They are being asked to approve of the principle that a minister of the Crown can lay false criminal charges against citizens of the Northern Territory or, more specifically, they are being asked not to approve that, but to stand up as members of this House and say that it is not on. They are being asked to disapprove firmly of the principle that a minister of the Crown can wilfully and repeatedly deceive the parliament, as the honourable minister has done. If, as a House, we impose no sanction on this minister, we will commend his actions to this and future parliaments, and what we approve for this parliament we approve for the people who elect it. I think that should be considered very carefully.

If, today, honourable members approve false testimony, false criminal charges, and the false indictment of innocent people, what is there left for us in this House to condemn? If we can allow the honourable minister to get away with false testimony, false testimony delivered in this House from his own lips, false criminal charges that have been laid by the honourable minister in this House, the false indictment of innocent people by the honourable minister in this House, what is there left for members of this House to condemn? Why are we here?

I am informed that, in a few days time, the report of the Federal Police inquiry will be complete. I would hope that the honourable minister will be here when that report is released and does not, as I have heard this morning, intend to skulk off overseas somewhere to avoid facing the consequences of the report when it is brought down. As that inquiry ends, another begins - this time into the allegations of criminal activities in the zone. Behind it, runs a third inquiry by the DIR into the already established abuses of industrial awards and conditions. There is no escaping what will be revealed.

A television reporter asked me this morning: 'Don't you think the people out there are getting sick of the Trade Development Zone and its being on the front page of the newspaper or the news lead on the television?' My answer to that was that they were. What they want is for the Trade Development Zone to be dropped from the front page and the news lead on the television. They want it to be creating jobs - employment and prosperity for the Northern Territory. Unfortunately, that requires a minister of the Crown to have the guts to take a few basic decisions about what should happen there. We have not had a minister of the Crown who has been prepared to do that, nor have we had a minister of the Crown who has been prepared to accept his responsibilities. We have not had a minister of the Crown who has been prepared to sit down and work out what the problems are, to correct those problems and to accept responsibility for the problems.

Instead, we have had a conspiracy allegation: that all the problems of the Trade Development Zone are the result of the actions of a number of people who have conspired to break the laws of Australia and to bring the

Trade Development Zone down. That simply has not happened. There has been no conspiracy. There has been no attempt by people to conspire to bring the Trade Development Zone down nor to break the laws of Australia. There has been a number of people doing their jobs. It is again a sign of the McCarthyist era that we seem to be entering in the Northern Territory that people like Trish Crossin, who do their jobs, end up being maligned and accused of being part of a conspiracy.

The honourable minister is responsible for keeping this matter on the front page of the paper. The honourable minister is responsible for failing to take the necessary precautions to ensure that we did not have the problem in the first place. More importantly, in terms of the operations of this House, the minister has deliberately lied, not once but on a number of occasions, to this House about what has been going on at the zone. He has deliberately laid false accusations against people in the community. Until this House takes action against the honourable minister, we will all stand condemned. We will all be part of, and share responsibility for, the actions of the honourable minister unless we tell him today, through this censure motion, that that behaviour is not acceptable, that that behaviour in this House is not on, that there are standards that we expect from ministers of the Crown in the Northern Territory - standards that have been broken - and that, when such standards are broken, there is a price to pay and that price is the minister's resignation.

Mr COULTER (Industries and Development): Mr Speaker, let me start with a quotation from a source a little closer to home than El Salvador, which the Leader of the Opposition referred to in his censure motion. The quote is: 'What about our little mate?' That quotation was used in the case of The Queen v Murphy. We are talking about plotting - a plot to deliberately set out to bring down the Trade Development Zone. That is what we are talking about here. In the case of The Queen v Murphy, we all know what happened. That involved a telephone call. The Leader of the Opposition is in much deeper than was Mr Lionel Murphy, who was involved in that issue, and he was forced to resign.

Mr Smith: Prove it!

Mr COULTER: The proof is in the hands now of the Federal Police. They are the people who prove things. I passed to the Federal Police allegations that were made to me.

Mr Smith interjecting.

Mr SPEAKER: Order! I ask the Leader of the Opposition to allow the honourable minister to make his statement in silence. I believe that the members of the government accorded that respect to the Leader of the Opposition during his address to the parliament. I ask that the honourable minister be heard in silence.

Mr COULTER: Mr Speaker, one of the people who has been wronged in this issue is none other than Trish Crossin. She was just doing her job! Let us see how she goes about doing her job. 'Last Thursday, an angry Ms Trish Crossin denied on the steps of the Legislative Assembly' - this very building, and I am reading from the NT News of Wednesday 28 February - 'that she had attended a meeting with Miss Huang. The Federated Miscellaneous Workers Union representative denied allegations she had conspired with senior Labor Party members to bring down the TDZ. Ms Crossin told reporters she did not attend a meeting with the former Hengyang textile factory worker, Miss Huang'. Yesterday's headline was:

'Yes, I did meet with TDZ girl'. Do not think that that will be the end of headlines of that kind, Mr Speaker. It was not I who put that headline on the paper yesterday. There will be more to come, when the Leader of the Opposition decides to cough up.

As I said, I regret the calendar mistake that I made, Mr Speaker. If the Leader of the Opposition wants to hide behind that, then let him. Perhaps I should have broadened the issue, as was done in The Queen v Murphy, from 1 December 1981 to 29 January 1982. Let him deny that he at any time, anywhere met with anybody from Hengyang. Did he or did he not? Here is his opportunity. Did he or did he not? Did he or did he not at any time, anywhere, speak to anyone from Hengyang?

Mr Smith: Yes, I have spoken to 3 Australian workers at Hengyang this week.

Mr COULTER: There is 1 admission that we have, Mr Speaker. We have had 1 admission straight off. There are many more that we could get out of him in a very simple exercise of telling the truth.

In respect of lying and concocting allegations, I regret that the member for Stuart is not in the Assembly today to answer those charges because another report will be brought down in this Assembly today. I refer to the police inquiry into the BTEC report. No wonder he sees blue cows if he has been smoking marijuana as much as he admitted to in this Assembly yesterday. There is very little reason for us to suspect that the member for Stuart has any credibility any longer. In respect of his allegations against innocent people, I believe that report will give an indication of the type of concoctions that can come from the Labor Party members opposite.

On the final day of these sittings, after threatening this House for at least a week before the sittings, we have a censure motion. I have taken every opportunity to make statements relaying to the Assembly exactly what has been happening in the zone. Did the Leader of the Opposition contribute to debate on those statements? I asked for a censure motion as the threats came from the other side. Did he once get to his feet? No!

On the last day of the sittings, because he knows that the police report will give names of people who attended these meetings and will read like a who's who of the Labor Party, the Leader of the Opposition wants to clamber to his feet to say: 'Oh yes, but I was only there checking to see if they had a bong on the mantelpiece. That's all. I was in the kitchen. I was not in the other room'. He is in big trouble, Mr Speaker. That is why he wanted to recall parliament. He wanted to be able to stand in here and make a personal explanation as to what his role was in this plot, this conspiracy to bring down the Trade Development Zone.

Mr Speaker, on this final day of the sittings, the opposition has done what it has promised to do from the first day of the sittings. What is the Leader of the Opposition trying to achieve? Is it really my resignation? Hardly, because he knows that he does not have the support of this House. No, the Leader of the Opposition is simply seeking to justify the actions of himself and all his cronies in the labour movement in this sordid and sorry political manipulation of the Chinese guest workers at the Trade Development Zone. He thinks that the report will be made public by the Federal Police, listing the various clandestine meetings which took place before and after Miss Huang left Darwin for Melbourne on 28 January. He thinks the public of the Northern Territory will condemn him and all his cronies for those actions, and he is absolutely right.

As I said, the list of names associated with these meetings and associated events reads like a who's who of the Labor Party's political and industrial wings in the Northern Territory. I took the proper action of passing on to the proper authority - the Federal Police - what I considered to be information of great concern. Mr Speaker, I did not do that lightly. The information had not come from just 1 source but from 8 different sources.

Mr Smith interjecting.

Mr COULTER: Well, check with the police. Ring them up now and ask them. They will tell you. The information came from 8 different sources.

Because of the seriousness of the charges and allegations which were being levelled, I sought legal opinions. I did not get just 1 legal opinion; I got 2. Both said that there could well be charges to be answered as a result of the particular activities which are alleged to have occurred.

Mr Speaker, it would have been irresponsible of me to do anything but hand the information over to the Federal Police. That was how serious the allegations were. Now, I am being condemned in this Assembly for doing just that. That is why this censure motion has been moved - because I have done my job in passing on allegations and information that was made available to me. I might add that, since that time, the number of allegations has increased dramatically. They are all being passed on by my office and investigated by the police. I have taken the proper action. I will read into Hansard the text of letter which I wrote to the police.

> Various matters recently brought to the attention of my office from several sources lead to me believe that serious breaches of the Migration Act 1958 may have occurred. I refer specifically to sections 46(1) and (2) of the amendment thereto by way of amendment act No 59 of 1989, and to possible concurrent and consequential offences in relation to sections 5(1) and 86 of the Commonwealth Crimes Act.
>
> In brief summary, it has been alleged to my office that, on or about Friday 2 February ...

And, Mr Speaker, we all know that date was a mistake. The letter continued:

> ... a meeting took place with a Chinese national and improper inducements were then offered to that person, which advocated or encouraged a breach of that person's temporary entry permit into Australia. I am advised that the Chinese national concerned, Miss Huang, an employee at the time of Hengyang Company of Darwin, subsequently left for Melbourne on or about 4 February.

And we all know that date was wrong, Mr Speaker, but if the Leader of the Opposition thinks that he is going to get away with hiding behind pedantic semantics, he has it all wrong.

> I am further advised that the meeting referred to above took place in the Darwin office of Mr Warren Snowdon MHR, and that those present at the meeting included Mr Snowdon above mentioned, Mr T.E. Smith MLA, and others. It has been put to me that, in return for making various public statements on Miss Huang's part relating to her employment, Mr Snowdon offered his influence as a member of the federal parliament to secure permanent Australian

residence for Miss Haung. These allegations, if proven, appear most serious and I believe I have no option but to formally bring them to your attention for appropriate further investigations.

My staff and I are, of course, available to your office to provide any more specific information which you may require.

It is pretty simple stuff. I did not make up the allegations. I did not decide on this course of action in the heat of the moment or put it together in anger to get back at Mr Smith, the Leader of the Opposition, or Mr Warren Snowdon. No, Mr Speaker, I acted on information, not from 1 source or 2 sources but from 8 different sources. I took the proper action of passing on what I considered to be information of great concern to the proper authority, the Federal Police. I have continued to make further information available to them as it arrives at my door. It is doing so, Mr Speaker, like a big river.

Mr Speaker, I believe with all my heart that I have done the correct and proper thing. I believe it would have been irresponsible of me to have done otherwise. Now it is up to the Federal Police to conduct their inquiries and I have said throughout that I will abide by their decision. Honourable members should contrast that attitude with that of the well-known union organiser, Ms Trish Crossin. She said in a public statement that she had never met Miss Huang. We have heard the same statement from the Leader of the Opposition. Does anybody remember the statement which he made? The member for the House of Representatives made that very same statement: 'I have never met Miss Huang'. In fact, the Leader of the Opposition made a personal explanation, restating it. He stated it again outside the House. It was the very same statement as that made by Ms Trish Crossin. What happened in her case? After a week, she had a change of heart. 'Hang on a minute', she said 'not only did I meet her but she was at my house'. She was going to sue more than the socks off me, but then she changed her mind.

Mr Smith: She still is! Don't worry about that.

Mr COULTER: Very good. Less than a week after her first statement, Ms Crossin admits that she attended a meeting with Miss Huang and other Chinese guest workers before Miss Huang left for Melbourne. She says too that 14 people were there. Who were they, Mr Speaker? Were they members of the Labor Party? The opposition might like to answer that. It should be careful because we know very well who they were.

Mr Smith: Was I one of them?

Mr COULTER: We know who picked up the guest workers in cars and who set it all up.

Mr Speaker, I remind you of the telephone conversation of Lionel Murphy when he said: 'What about our little mate?' He had to resign, and the Leader of the Opposition is in a lot deeper than he was.

Mr Smith interjecting.

Mr COULTER: I would be very careful of what I said if I were you.

Mr Smith: Say it outside.

Mr COULTER: Say it outside, Mr Speaker.

Mr Smith: You are a gutless wonder.

Mr COULTER: I am a gutless wonder, Mr Speaker.

Mr SPEAKER: Order! I would ask the Leader of the Opposition to withdraw the remark 'gutless wonder'.

Mr SMITH: Mr Speaker, only out of deference to you do I withdraw the statement that the honourable minister is a gutless wonder.

Mr COULTER: Mr Speaker, who were these 14 people? If their presence is not grounds for a conspiracy, what is? Who were they?

Mr Smith: It sounds like a party to me.

Mr COULTER: It may have been a party, Mr Speaker. Perhaps that was what it was, a Labor Party. That was what it was, the Labor Party!

We know many other details about this shabby conspiracy. Ms Crossin has admitted publicly that she did not tell the truth about her involvement with Miss Huang. She did that because she was pursued by the media and had to give herself up in relation to that particular meeting. She has yet to reveal her involvement in other meetings concerning Chinese guest workers, and prominent people of the ALP and the union movement. It will all come out and all will be revealed.

As a direct contrast to the sort of political games being played out in this House on this political matter, let me outline the positive moves being made by myself and this government in addressing what we acknowledge to be a problem involving the employment of Chinese guest workers at the Hengyang factory. I was reported after giving a statement on what had happened at the Trade Development Zone, what advantages had been received, the type of negotiations that had been entered into, and the type of arrangements that had been provided to the Chinese guest workers to improve their conditions at the zone. I provided a very detailed and complete statement. I will not read that into Hansard again, but I am sure honourable members will remember the statement I made last Thursday. Some of the terms and conditions, and the manner in which payments are made, have been changed.

Honourable members will be aware also of the meetings which have taken place with Mr Philip, the lawyer acting for Hengyang, explaining the rights of the Chinese guest workers in Australia. Honourable members will be aware of the meetings that have been set up with the Department of Immigration explaining about Australian citizenship and how it is arrived at, and providing that information to them. Much has been done in just 2 weeks to right the wrongs, and I admitted that there were wrongs. There were wrongs, and we have corrected those wrongs.

Many other inquiries are being conducted at the moment in terms of those alleged breaches of award conditions. The Leader of the Opposition speaks about writs and being sued. Mr Speaker, he could correct me here, but I believe he is in receipt of many writs over his allegations in this particular case.

Mr Smith: I have not received one.

Mr COULTER: Well, he is quick on his feet, I will say that for him Mr Speaker. People have been trying to catch up with him, as honourable members of this House are well aware. He must be sleeping in the boot of

his car. They will catch up with him eventually and those writs will be served on him, and I believe that they will see action taken against the Leader of the Opposition for the role that he has played in here, but no more so than the report of the Federal Police, which will unravel the role which the Leader of the Opposition has played in this whole, grubby, little affair - this plot to bring down the Trade Development Zone.

Piously he calls: 'I support the Trade Development Zone'. Mr Speaker, I ask you to cast your mind back to the time when the very concept of the Trade Development Zone was envisaged. If I recall rightly, at that time, Mr Speaker, you were actually the minister responsible for the Trade Development Zone. Mr Speaker, can you tell me of an occasion when the Leader of the Opposition has supported the concept of that Trade Development Zone even once? Not once has he done so, and now he cries that we have all believed in the Trade Development Zone, that we all believe that it should work. The role he has played to bring down the Trade Development Zone is a matter on the public record. It is recorded in Hansard for everybody to read in years to come when the Trade Development Zone is booming.

We heard from the member for Stuart, and I apologise for quoting him when he is not in this Chamber. He asked: 'Where are the jobs in the Trade Development Zone? Where is the development that is happening? Where is the potential that is being realised? Members of the opposition are still as late as last week in supporting the Trade Development Zone. They are knocking the Trade Development Zone for failing to provide.

The simple facts are that the zone has comprised approximately 11 000 m^2 of factory space for some years now. By June of this year, it will be 20 000 m^2 of factory space, and by the end of calendar 1991, it will be 40 000 m^2. Mr Speaker, I am not making that up either. There are letters of intent and they represent buildings coming out of the ground and, within that 3 years, the potential 5000 jobs in the Trade Development Zone will be realised in spite of the Labor opposition, in spite of the antics of the Leader of the Opposition and in spite of the trade union movement. I say that with some qualifications, because the support that we have received from some members of the trade union movement has made me very proud to be associated with some of those people. They have endeavoured to get a textile industry going in Australia, and they have helped us enormously.

It is very easy to talk about buying or providing accommodation, to say that it is simple, and that the firm should get on with it and provide accommodation for the workers. Last Thursday, a Chinese investor was in the Territory in the middle of this ruckus, but still committed. In fact, he will be the largest employer in the Northern Territory by early calendar 1991, employing more people than are working at Nabalco. He will be employing in excess of 800 people, so he went out to buy a block of flats. His factory is not even built yet. It is still coming out of the ground.

He was looking for a $600 000 block of flats, but he cannot buy it because he is a non-resident, and FIRB approval must be sought, and it will be sought. I understand why the federal government is concerned and requires that FIRB approval be obtained for the purchase of residential properties, but that is the type of red tape that has to be battled with. This Chinese businessman regarded us with disbelief when we explained that to him. He said that we had spoken to him about accommodation and so he had come to buy accommodation, but that now we will not let him do it.

We have to nurse these people through their battles with the red tape that the federal government has put in place. We need to reduce all this red tape that is so restrictive ...

Mr Smith: Yes, and award conditions.

Mr COULTER: ... and to ensure award conditions. There has never ever been any doubt amongst the employers brought into the Trade Development Zone about what conditions and what awards must apply.

Mr Smith: Why haven't they been paying them then?

Mr COULTER: Mr Speaker, because we had one company that did not abide by those awards and conditions. That is why. Then we heard the argument that it applied to other companies within the zone, and didn't Sonia Laverty and Mark Crossin back off fast when they came out with words like 'they have cooked the books'? When we read the newspapers over the following day or 2, we see that they have withdrawn those remarks. They changed their minds and backed off, and the Leader of the Opposition will change his mind before this affair is finished.

Mr Smith: Do you want to bet?

Mr COULTER: He can laugh, smirk and want to bet, but the role that he and the member of the House of Representatives, Mr Warren Snowdon, have played will become quite obvious to all Northern Territory citizens. It will come out. We have heard the same denial made before and then, a few days later: 'Oops, I have changed my mind on that one'.

I am condemned because of confusion over a date, but some of the statements that we have heard from the Leader of the Opposition and from the trade union movement, and the reversal of form that they have shown, causes my clerical error to pale into insignificance. There are some problems at the Trade Development Zone, and we will solve them. In fact, many of them have been solved already.

Mr Speaker, I do not believe that the Leader of the Opposition's heart is in this debate today. He is not well. He is sniffling and eating cough lollies, and I understand that. But he just does not seem to have his heart in this debate today. He did not contribute anything to the debate at all. I can understand why it took him 5 days to whip up a lather of sweat on his brow and get into this debate. He did it - but what a poor performance.

Mr LEO (Nhulunbuy): Mr Speaker, not once in his entire contribution to this debate has the minister bothered to deny the basic charge levelled by the Leader of the Opposition, and that is that he lied to this House. He lied to this House, and it was not about a clerical error concerning a date. That was not the lie. The lie was that a meeting took place in the office of the member of the federal House of Representatives, Mr Warren Snowdon. Forget the date, Friday 2 February. That is what is here, Friday 2 February. That is not the lie. The minister said that a meeting took place in the office of the Territory member of the federal House of Representatives, Warren Snowdon:

> The Chinese national concerned, a guest worker at the Hengyang factory, Miss Huang, left Darwin for Melbourne 2 days later. With Mr Snowdon at that meeting was the Leader of the Opposition ...

That is what this minister said in this House.

> ... a migrant resettlement officer; a de facto union organiser funded by the Department of Immigration and Ethnic Affairs, Ms Trish Crossin; an interpreter for the Migrant Resource Centre; and others, at various times, whose names have been made available to me but whom I will not name in these circumstances for reasons which will become apparent.

Forget the date, I do not care if the minister said 2 February, 26 January or 29 January, the lie is that the Leader of the Opposition attended a meeting - I would even forget the place - attended a meeting and conspired to break the laws of this country. That is the lie, and the minister has not denied it. I ask every honourable member to show one iota of the gumption that that guest worker has shown on this entire matter. Are they all so gutless that they will not move off their own benches? Is that what will happen? Are they going to sit there and support a lie in this House?

Mr Finch: Resign along with your leader.

Mr LEO: You are a collection of gutless wonders.

Mr SPEAKER: Order!

Mr LEO: I withdraw, Mr Speaker. He has not denied it. It was a lie and it remains a lie. He continues to perpetrate the lie. Members opposite will suffer for that in this House because they will not exhibit even a fraction of the intestinal fortitude of Miss Huang, who did something about blowing the whistle on her working conditions at the Trade Development Zone. They will not have the guts to do that simply because they are so firmly locked into what the Leader of the Opposition described as the circle of fear and greed. They are so locked into it that they cannot get out of it.

It would appear that, despite all of this, the government intends to support its minister. I ask it not to. I hope the Chief Minister will rise to speak to this motion. I ask him whether the Minister for Industries and Development will be here when the police report is brought down? Will he be in Darwin when that police report is brought down or will we have to read an entirely different meaning into Coulter the Bolter? Will we have nothing but a clean pair of heels and a trail of manure from the Minister for Industries and Development when that report is brought down? He has laid serious charges against the Leader of the Opposition, he has laid serious charges against the MHR for the Northern Territory and he has laid serious charges against a Chinese guest worker. Despite that, will we have nothing from Coulter the Bolter but a clean pair of heels and a trail of manure? If that is the case, not only is he a disgrace to this House but a disgrace as a human being. For the Chief Minister to associate himself with something like that is an indictment of himself, this government and this House. It would be unforgivable if that happened. It is completely unforgivable for any person in the Northern Territory to lay such allegations against a completely defenceless person. Her status as a citizen is not known. She does not know what is happening with her life. In those circumstances, to lay serious accusations and then show a clean pair of heels would be absolutely unforgivable in any human being.

The minister can talk about the TDZ in the terms of jobs in the Northern Territory, and I commend him for that. The minister can talk about the development of industries within the Northern Territory, and I commend him for that. However, not once has he spoken about those 60 terrified human

beings at the zone. There was not one word about those 60 abjectly terrified human beings. The consequences for arousing political suspicion in their own country have been well-documented in this country. The consequences of doing that in their own country lead to a fairly terminal experience, to say the least. There was not one word about that from the minister. There was not one word about addressing the wrongs that have been committed against these human beings. Not one syllable!

Mr Palmer: You have not been listening for the last week.

Mr LEO: I have not yet read a press release from the honourable minister saying that he will do everything in his power to ensure that these women are protected. He has never said that inside this House or outside it. He has said that he will conduct an investigation into their working conditions and an investigation into their civil liberties. However, I have not heard him say once, inside or outside this House, that he will do everything in his power to protect those 60 human lives.

The minister is condemned from his own mouth. He is condemned by his own actions. He is condemned because we ascribe to the human race. If the Chief Minister dares to rise today to say that he has known all along what the minister has been doing and that he has known all along that 60 terrified human beings have been treated in a manner which would not be tolerated by other human beings in this country, then he is as culpable as is his minister.

McCarthyism was a terrible tragedy that afflicted the United States of America for quite a considerable period. People's entire careers and lives were destroyed because of what was then considered to be un-American activity. That was the general social charge that was laid against people during the McCarthy era. The charge that has been laid against my colleague in this House, in this coward's castle, by the Minister for Industries and Development, the Leader of Government Business in this House, was not of his being un-Australian. It was not something as wishy-washy as that. It was a distinct allegation of crimes committed against the laws of this country. There is nothing equivocal about that. He made a charge of criminal activity. If the minister does not resign if those charges are not proven, I will rise in this House and accuse every minister of every rumour that has ever been circulated about him. I will do that because he will be telling this side of the House that that is the way that we are to conduct the affairs of this House. That is what he will be saying to me: the way to conduct the affairs of this House is to charge people on the basis of rumour.

Mr Speaker, I do not think there can be any doubt that the minister has lied to this House and that he continues to lie to this House. I do not think that there can be any doubt that he should be censured by this House. However, I doubt very much that he will be, and I will tell you why. The business of politics is all about numbers, and nobody on that side of the House has a fraction of the intestinal fortitude that has been demonstrated by Miss Huang.

Mr PERRON (Chief Minister): Mr Speaker, we all look forward to the day the member for Nhulunbuy climbs on his plane and shows us his heels on his way to assisting his constituents in the Territory by residing in Queensland.

Mr Speaker, the Leader of the Opposition began his contribution to this debate by saying that the careers of 2 members of this House are at risk in this matter.

Mr Smith: You had better believe it.

Mr PERRON: Can I say, in response to that, that the role of the Minister for Industries and Development has been to fulfil his responsibilities as a citizen. He has passed to the Federal Police information presented to him as fact. It is up to the police to investigate that information. If they find that the law has been broken, charges are laid. That is the procedure. At that point, the Leader of the Opposition would normally stand down until such time as the courts have dealt with the matter. That would be the normal process. Who is to know what will happen? Sadly, we cannot foretell the future.

The whole motion, if one reads it carefully, is a case of double standards. The Leader of the Opposition himself wrote to me only about 4 weeks ago. He said that, if I were informed of a possible breach of the Criminal Code, I had no choice but to refer the matter to the proper authorities immediately. He was writing to me, of course, about what was generally known at the time as the 'Liddle Affair'. He made that statement to me in a letter and I think he made it to the press as well. He said that, if I had information of a possible breach, I had no choice but to refer the matter immediately to the proper authorities.

Mr Smith: But the problem is that your colleague did not have any information.

Mr PERRON: What he is saying today is that my colleague did have a choice and that he should not have referred information which came to him to the proper authorities.

Mr Smith: He did not have any information.

Mr PERRON: It is a case of double standards, and the Leader of the Opposition knows it. To continue, what the Leader of the Opposition did not say in the letter was that he also believed that, if the police investigation did not find a case sufficient to lay charges, then I should resign for having passed the information on. That seems to be some sort of double double standard. He says that I must pass information on if I have it. He agrees that it is for the police to carry out investigations, not for politicians, who do not have the skills or the powers. The police are the people who investigate these matters. The Leader of the Opposition uses a double double standard. It is a catch 22 situation: If you have information you have to pass it on but, if it is wrong, you are gone. Fantastic stuff.

Mr Smith: Precisely. If it is wrong, he should go.

Mr PERRON: How about applying the same standard to your colleague the member for Stuart in relation to his BTEC allegations? If there is anyone in this Chamber ...

Mr Smith: You give him the judicial inquiry which he has asked for ...

Mr PERRON: If anyone has been guilty of turning this place into a Star Chamber, it is the member for Stuart. It is a shame that he is away because we could all be illuminated by his red face during this debate. The Hansard record contains debates ad nauseam in relation to BTEC. There were 3 MPIs on the matter. They took hours and hours to dispose of, day after day, and received an enormous amount of coverage in the media, particularly the

ALP's television station called the ABC, which offered as much assistance as it could give.

When it comes to smearing the names of innocent citizens, the member for Stuart is an artist. He is an expert at it. BTEC is the classic example. There have been 2 police investigations into BTEC, and in my opinion they would have cost hundreds of thousands of taxpayers' dollars. They have not produced a single substantiated allegation sufficient to warrant court action. That is the net result of the member for Stuart's actions in referring to the police the allegations which came to his attention. Why is he not resigning? Why does the Leader of the Opposition not ask him to resign? Of course, he does not want to apply the same rules to both sides of the House, not for 1 second. Mr Speaker, the motion is a nonsense and the Leader of the Opposition knows it.

Mr Smith: Where is the information? The minister has not got any information.

Mr PERRON: We said to the member for Stuart, ad nauseam: 'If you have evidence, take it to the police'. We do agree with the opposition about that. Such matters should be taken to the police. What did the member for Stuart do? Finally, after squeezing every possible ounce of publicity out of the matter in this House and on the 7.30 Report, and at any other opportunities he could use, and being very careful not to say anything specific and in public which could result in his receiving a writ, he handed the matter to the police.

Mr Speaker, one aspect of the motion refers to my colleague failing to protect the interests of workers at the TDZ. No one in the Northern Territory is a greater champion of the TDZ than my colleague is. I do not need to elaborate on that. The minister has gone to considerable lengths to protect the workers at the Trade Development Zone, to ensure that investigations are under way and to establish the exact truth in relation to award conditions and the like. He has assured the workers at the Trade Development Zone, both personally and in writing, that he has committed himself to ensuring fair and equal treatment and gaining redress in any matter which comes within his power.

Of course, we do not have all the powers necessary to get to the bottom of such matters as possible abuses of human rights. With our limited industrial relations powers - and, indeed, with supposedly non-existent industrial relations powers - the Territory government is limited in what it can do even in terms of finding out exactly what is occurring. The federal Department of Industrial Relations is, of course, the appropriate body to move down that path. It is the appropriate authority in the Northern Territory, which does not have its own state industrial commission. It is the appropriate authority to handle inquiries in relation to the proper treatment of employees under awards. Of course, we all know that senior officers of that department are conducting what I am sure is a very thorough investigation.

The Department of Immigration also has a role as, I would imagine, does the Department of Foreign Affairs, given that the matter relates to contracts between Chinese workers and companies and agencies of the Chinese government. Also, we believe, such contracts may not apply only to people working in the Northern Territory as guest workers but to people who are working as guest workers elsewhere in Australia and, indeed, probably in most countries around the world to which China supplies guest workers. Such matters must be dealt with by the proper authorities. The Northern

Territory government does not have an embassy in Beijing. Perhaps, one day, it will have an agency in Beijing. I hope that it does and I hope it will have a substantial number of staff looking after our affairs and interests in China. At this stage, however, we do not have that capacity, and other people have a role to play.

The ACTU and the Department of Employment, Education and Training also have a role. In fact, DEET chairs the tripartite committee which is supposedly looking after people's affairs in the zone. Very importantly, there is a body which has been fairly silent on this matter to date but, I believe, it made a statement yesterday confirming that it is investigating the matter. I refer to the Human Rights and Equal Opportunities Commission. Given the types of allegations which have been made, I would be very surprised if such a body did not become involved. I understand that it has been involved for some time in making its own investigations, as is proper under its charter.

Mr Speaker, we have wasted enough of the time of this House. We have now waited for 2 weeks for the opposition to come forward with its threatened censure motion against my colleague. It was going to stir us up. It was supposed to have all this information which would have the minister resigning without any question. We have waited for 2 weeks and, on the last day of these sittings, we get this feeble effort by the Leader of the Opposition. He just did not have his heart in the censure motion. We have wasted enough of the time of the House. We have to get on with the important business we have before us on the Notice Paper. Mr Speaker, I move that the question be put.

The Assembly divided:

Ayes 14	Noes 10
Mr Coulter	Mr Bailey
Mr Dondas	Mr Bell
Mr Finch	Mr Collins
Mr Firmin	Mr Floreani
Mr Harris	Mr Lanhupuy
Mr Hatton	Mr Leo
Mr McCarthy	Mrs Padgham-Purich
Mr Manzie	Mr Smith
Mr Palmer	Mr Tipiloura
Mr Perron	Mr Tuxworth
Mr Poole	
Mr Reed	
Mr Setter	
Mr Vale	

Motion agreed to.

Mr SPEAKER: The question is that the censure motion be agreed to.

The Assembly divided:

Ayes 8	Noes 16
Mr Bailey	Mr Collins
Mr Bell	Mr Coulter
Mr Floreani	Mr Dondas
Mr Lanhupuy	Mr Finch

Mr Leo	Mr Firmin
Mr Smith	Mr Harris
Mr Tipiloura	Mr Hatton
Mr Tuxworth	Mr McCarthy
	Mr Manzie
	Mrs Padgham-Purich
	Mr Palmer
	Mr Perron
	Mr Poole
	Mr Reed
	Mr Setter
	Mr Vale

Motion negatived.

STATEMENT
Results of Police Inquiry into Various BTEC-related Allegations

Mr REED (Primary Industry and Fisheries): Mr Speaker, honourable members will recall the allegations made in 1988 and 1989 regarding the so-called rorting and maladministration of the Brucellosis and Tuberculosis Eradication Campaign, culminating in calls from members opposite for a full judicial inquiry. Honourable members will also recall that, at the government's request, the Police Commissioner established an investigation team in late May last year to inquire into the allegations made by the opposition and some industry members. That police inquiry was completed in August last year and the findings were examined independently by an eminent South Australian lawyer, Mr Michael Abbott QC. I stand today to inform honourable members of the outcome of the inquiry and of Mr Abbott's assessment.

It is not my intention to table these documents. I do not wish to place on public record the names of those against whom baseless allegations have been made. I do not wish to follow the practice adopted by the member for Stuart who, in debating these matters last year, chose to name people without their knowledge or consent, or any right of redress. I will, however, be making reference to those persons who have made allegations where they have already been named in this Assembly and have aired their allegations in public. I will be making a copy of Mr Abbott's assessment available to the federal minister, Mr Kerin, in line with an undertaking given by the Chief Minister to keep him informed.

The police inquiry was conducted over 2 months and in 4 states as well as the Territory. It examined allegations raised by members opposite in their statements in this House. The public was also invited, through advertisements in both the electronic and print media, to come forward with any matters which they considered warranted investigation. Although the member for Stuart had assured me previously that he was representing hundreds of pastoralists in making his allegations, it should be of no surprise to honourable members that allegations were received from only 5 pastoral operations.

Most of these allegations came from the Dunbars of Nutwood Downs; the Groves, formerly of Woolner Station; and Tom Starr of Ban Ban Springs, each of whom also expressed their views publicly. Their allegations had been made to a Commonwealth officer, Mr Vendrell, who conducted an investigation

following complaints being received by the federal government. The allegations made to Mr Vendrell were passed to the police for investigation.

The report of the police inquiry runs to 70 pages plus attachments. It was prepared by Detective Acting Inspector Jobson and is dated 18 August 1989. I shall therefore refer to it as the Jobson Report. It examined a number of allegations raised in this House by the opposition and found some to be issues which did not warrant police inquiry. Exhaustive inquiries were made into the remaining allegations. Jobson found that, contrary to the oft-repeated assurances of the member for Stuart, there was no substance to these allegations upon which a prosecution could be based, no substance whatsoever, Mr Speaker. Of course, honourable members on this side of the House and the vast majority of the Northern Territory's 300 producers have known that all along. To illustrate this point, I would like to read into Hansard the conclusion of the Jobson Report. I quote:

> This inquiry has not uncovered any criminal activity in relation to BTEC. No clear instances of maladministration have been identified and no evidence to support the contention that rorts were occurring has been confirmed.
>
> All persons cited initially as having proof of various activities, and those who emerged subsequently, have been interviewed. In each case, the persons concerned have stated their inability to produce any form of evidence which would substantiate their allegations.
>
> Each allegation has been individually addressed and investigated. The result is that, in the vast majority of cases, the complaints have been shown to be inaccurate, exaggerated or irresponsibly made with little apparent concern for accuracy. They have almost without exception been based upon either hearsay, bush gossip or personal opinion.
>
> The right of people to complain is fully acknowledged and the sincerity of those complainants is accepted. However, the reality is that 'the accuser is required to prove'.
>
> There is, however, no doubt that the persons interviewed do harbour strong views on BTEC generally. These persons are sincere in their criticisms. In some cases, their objections are based on personal considerations and in others on academic attitudes. Many of the persons interviewed have already brought complaints to the attention of the appropriate authority. It has been a feature in 2 of the 3 major complainants that their complaints have involved issues which had already been exhaustively addressed. Effectively, they are reluctant to accept the finality of the outcomes. Where it has been appropriate, particular concerns have been recorded. In other cases, individuals are presently exercising their rights of civil recourse in relation to BTEC-related complaints. In these instances, it was inappropriate to interfere with that process and the inquiry has not done so.
>
> Despite an appeal through the media for persons to come forward, only 1 person did so, and his complaint was without substance. Police initiated all other approaches.
>
> Another point of comment is the fact that several complaints and allegations came to police attention only as a result of reading the 9 volumes of Hansard. It is submitted that this information should

have been provided to police at the onset. It was due only to being thorough that these other issues became known.

This inquiry effectively dealt with only 12 pastoralists who were incidental to the issues. There are approximately 300 producers in the Northern Territory cattle and buffalo industries. Whilst it would be facile to state none of those have any complaints, it is noteworthy that, given the extensive media coverage surrounding the background to this inquiry, none of these persons have come forward or availed themselves of the opportunity to register their views.

Finally, it has been established from close examination of relevant files that the Department of Primary Industry and Fisheries has addressed all issues brought to its attention. The fact that in various cases the person concerned was still dissatisfied is not disputed. However, it cannot be said that the matters were ignored or not taken seriously.

Nothing in this inquiry has required police involvement. It is submitted, given the character of the complaints, (that of members of the public against a government department) that a more appropriate forum should be the office of the Ombudsman for the Northern Territory.

Mr Speaker, turning to the allegations raised by pastoralists, Jobson looked first at those from the Dunbars. The allegations made by the Dunbars were generally the same as those that have been raised previously in this House and also aired on the nationally televised program Countrywide. They relate to the actions of a stock inspector and the apparent alteration of an application by the Dunbars for income tax relief. Of the 6 specific allegations, 1 was found not to be criminal behaviour, 1 was not a matter upon which a prosecution could be launched, 2 had no basis for prosecution, and 2 were not matters for criminal proceedings. A seventh allegation related to shoot-out activity on another pastoral lease. The Jobson Inquiry found that the basis for the complaint was factually incorrect.

Mr Speaker, I am well aware that there have been problems between officers of my department and the Dunbars. They are, however, philosophical differences and not issues of a criminal nature. In fact, the Dunbars are currently pursuing a BTEC program with my department.

Mr Speaker, I think it would be appropriate to note that, despite some years of comments, innuendo, and suggestions being made by members opposite in relation to this important matter, none of them has been in this House during my statement informing them of the outcome of what they have previously claimed to be a most important matter in relation to which they have called for a judicial inquiry. It is an absolute disgrace. It is indicative of the contempt and arrogance which members of the ALP opposition direct towards this House and the people of the Northern Territory and, in particular, the pastoral industry.

I turn now to the allegations made by the Groves. They put forward 15 specific allegations which were investigated by the Jobson Inquiry, a number of which were also aired through the media. They ranged from criticism of government actions and policies through to accusations of malpractice levelled against stock inspectors. Jobson reports:

All 15 allegations raised by the Groves have now been finalised. The complainants have not been able to supply any substantive proof

> in relation to any of the allegations and the investigative team has not found any signs of criminality. Indeed, some of the allegations were, in the past, subject to detailed investigations both by the police and the Ombudsman.

Mr Speaker, 6 allegations offered no basis for a prosecution. On another 6 allegations, the Groves were unable to provide any substantiating evidence. Two were not matters of dishonest behaviour, and 1 was subsequently abandoned by the Groves. Most of their allegations seemed to have been based on their personal beliefs which did not stand up to police scrutiny.

I turn now to the 22 wide-ranging allegations made by Mr Tom Starr of Ban Ban Springs. Unfortunately, when pressed on the issue, Mr Starr could admit to personal knowledge in only 5 cases. A large number of Mr Starr's allegations are, he claims, based on information received from a helicopter pilot. The pilot concerned was interviewed by the Jobson team but failed to support Mr Starr. In any event, a breakdown of the 22 allegations shows 13 were not illegal or improper actions and 9 were either without foundation or there was no evidence to support them. Honourable members will be aware that Mr Starr has been a very vocal critic of BTEC. However, when given the opportunity, he has been unable to substantiate his claims.

The fourth complainant, Mr Ansell, provided Jobson with a facsimile copy of a statement which he had sent to the federal minister, Mr Kerin. Although arrangements were made to interview Mr Ansell, the Jobson team was unable to conduct an interview because Mr Ansell failed to appear. Further attempts were made to see Mr Ansell but he made no effort to be interviewed. However, his allegations were substantially the same as those raised by the Groves, which were found to be unsustainable.

The complaint received from the fifth pastoralist involved non-completion of waybills by a stock inspector. The inquiry found that the pastoralist and not the stock inspector was responsible for this function and there was no substance to the complaint.

Previously, the opposition has sought to suggest that the Jobson Inquiry would not be thorough and that it would be a whitewash. Notwithstanding the thoroughness of the police investigation, the findings and the activities of the Jobson team have themselves been independently assessed by Mr Michael Abbott QC. In considering this matter, Mr Abbott was provided with the 1984 police report that has been previously mentioned in this House, copies of transcripts of the ABC television program, the 7.30 Report, for 12 June 1989, 22 June 1989 and 3 August 1989, documents relating to the allegations made by the various complainants, and Hansard for 16 to 25 May 1989. He considers that the inquiry has been very thorough indeed. He also confirms the findings of the Jobson Report. In summarising the brief given to him, Mr Abbott has said:

> The question that is addressed in this opinion is not whether there are allegations made which have or have not been investigated, but whether certain specific allegations raised for the consideration of Jobson were in fact fully investigated by him and his team and whether or not the conclusions reached by him were correct conclusions having regard to the evidence uncovered and then investigated by him and his team.
>
> I should make it clear at the outset that my conclusion is as follows:

1. that in respect of each of the allegations that Jobson was asked to investigate, the investigation was thorough and well-documented;

2. the conclusions reached by Jobson as to prosecution or rather lack of prosecution were reasonable conclusions based on the evidence discovered by him and his team.

It follows, therefore, that I agree with the conclusions reached by Jobson and his team. In particular, I agree that his inquiry did not uncover any criminal activity in relation to BTEC in the sense that, whilst there was rumour and conjecture aplenty, there was no hard evidence of criminal activity on which any criminal prosecution could be launched.

I should also make it clear that my instructions are limited to advising on whether or not: (a) there is any evidence of any criminal activity; and (b) any evidence of criminal activity on which a prosecution should be launched.

After commenting on the individual allegations, Mr Abbott provides the following recommendation:

I have now covered all the matters investigated by the Jobson team. The Jobson team spent many hours investigating each and every allegation that was raised for their specific attention and, in the case of the Hansard allegation, matters that generally became known to them. They concentrated on investigations which raised allegations of criminal conduct.

In relation to those allegations which were allegations of criminal conduct, I am satisfied that their investigation has been thorough. Whilst, as stated previously, I cannot be sure that there is no further evidence which may not be uncovered upon further investigation, as far as one can tell, there appears to be no further evidence that would potentially be available in respect of the allegations that the Jobson team investigated.

In respect of the investigations, as summarised in the Jobson Report, I do not recommend that any prosecutions be instituted.

Although many of the initial allegations were of serious criminal misbehaviour, there was a wealth of rumour and innuendo but a dearth of hard evidence. In almost every occasion, a person coming forward with allegations was acting upon hearsay, rumour and conjecture. The task of the Jobson team was made more difficult by this fact.

I therefore could not recommend that any prosecutions be initiated as a result of the Jobson Report. I so recommend.

The member for Stuart's condemnation of the BTEC program cannot be sustained. He claims to have talked to hundreds of pastoralists. Five came forward when given the opportunity, but none could provide substantive evidence when pressed, although they did express some dissatisfaction with aspects of BTEC. He has named other pastoralists in this House. Jobson sought to interview these men. The results were similar in each interview. These men were not happy with the working of BTEC, but they did not have any complaints regarding criminal activity. These people had generalised complaints about BTEC and its operation, but none of them has come forward

with specific allegations which would support the member for Stuart's contentions that criminal proceedings should have been instituted. Nor is there anything to support his calls for a judicial inquiry. Given the lack of substantive evidence to suggest criminal activity, even after exhaustive investigations, the honourable member's call for a judicial inquiry simply does not hold water.

The member for Stuart has created an illusion in order to push himself before the media. It is not to the credit of some arms of the media that they let him suck them in. In their defence, he has done a good job of rumourmongering with the support of a small minority of the industry. Unfortunately, this has led to the Territory and its pastoral industry being denigrated on national television when the ABC's Countrywide program devoted 2 episodes to this baseless story. The producers of Countrywide would have been better served had they spoken to a broader cross section of the pastoral community and checked out some of the allegations before they finalised their story. The honourable member's efforts with the 7.30 Report similarly bring neither him nor the program any credit whatsoever.

Mr Speaker, the government strongly supports the concept of free speech. I do not condemn those pastoralists who made allegations for so doing. They have their opinions and they have expressed them. That is their constitutional right. Nevertheless, I cannot condone the abuse of the principle of free speech that we have heard from the honourable member and, indeed, from the 7.30 Report. They have pursued a vicious and misleading campaign without recognising the validity of opposing views. It might be all right to do that in a pub, but it is unforgivable to do it on what should be an important television current affairs program.

The honourable member has no credibility within the pastoral industry. He has reduced his credibility to the point where he has become totally bereft of it. His revenue is valueless. He does not want to see the truth. Still he has not even accepted my open invitation to be briefed on what we are actually doing under BTEC, and he fails still, principally because of his refusal to accept a full briefing, to understand fully and appreciate the workings of BTEC. He has no comprehension of it whatsoever. If he had, he would have learnt that the government is aware of the potential for BTEC to be abused. He would have learnt about the checks and balances that we have in place to prevent any such abuse.

The honourable member has continually sought to create the impression that BTEC is a Territory project. I will tell him again. It is a national program. Considerable funds are provided for it by the Commonwealth government, and industry sources outside the Territory. It is overseen by the National BTEC Committee. We have triennial operational management reviews conducted under the auspices of that committee. The 1986 report found our administrative arrangements to be of a high standard. The 1989 report which was completed recently did not find any instances of maladministration. Of the recommendations it does make which are relevant to the Territory, over 75% have already been put in place.

Aspects of the campaign come also under the scrutiny of various federal and Territory working parties. Police inquiries were conducted into various allegations in 1984 and 1989, as members well know. In the one case where police inquiries in 1984 suggested that there may have been a case for prosecution, legal opinions suggested it was unlikely any charges would succeed. Therefore, the matter was not pursued. Mr Abbott has also examined this case, and I quote him:

That a decision not to prosecute in 1984, if made during that year on the basis of the material that I have seen, would have been a reasonable decision in the circumstances, as they are known to me.

The Auditor-General also regularly reviews BTEC activities. The findings of Jobson and Abbott both demonstrate that the honourable member has adopted a cynical and arrogant position, using BTEC simply as a political tool to gain maximum personal media exposure.

Mr Speaker, we are the first to admit that our BTEC activities have not been perfect. No operation of this size or nature will ever work out exactly as everyone would wish. But these problems and mistakes are not those to which the member for Stuart subscribes. He has chosen deliberately to confuse rumour and innuendo with truth, and hearsay with fact. Had there been any truth in the stories he has bandied around, I can assure honourable members that the industry both here and interstate would be telling us about it in no uncertain terms. After all, Mr Speaker, they are paying half of the bill.

I again invite the member for Stuart to show a genuine interest in his shadow portfolio areas and to receive a full briefing from my department. Also, I remind the honourable member that he is on record as defaming pastoralists, transport operators and the staff of my department, and that he still owes them the courtesy of an apology at least.

Mr Speaker, I move that the Assembly take note of the statement.

Mr SMITH (Opposition Leader): Mr Speaker, it is indeed unfortunate that my colleague, the member for Stuart, is not here to respond to this ministerial statement. Certainly my response will not be nearly as detailed or as comprehensive as his would have been. I know that, in the May sittings, he would appreciate the opportunity to have this particular matter debated. He assures me that he is able comprehensively to tackle every point that is being made by the honourable minister.

Mr Reed: Don't dob him in.

Mr SMITH: No, I am quoting him actually.

From the very beginning of this whole debate over BTEC, the member for Stuart and the opposition have been calling for a judicial inquiry. We did not make that call lightly. We did not take the decision to ask for a judicial inquiry without considerable thought. We know what it means to call for such an inquiry and we are fully aware of what is involved in the running of a judicial inquiry. When we made the call, we did so because we believe that it is the only way to get all the people who are involved to come forward and tell what they know. The only way to get to the bottom of all the charges and counter-charges is to have it done through that means.

Mr Reed: Why don't they trust the police?

Mr SMITH: Perhaps he could go out and ask them why they do not trust the police. The unfortunate fact of the matter is that they do not.

Mr Reed: Do you trust the police?

Mr SMITH: Yes, I do. As I said before, I am looking forward to the very trustworthy Federal Police coming down with their report early next week.

Mr Perron interjecting.

Mr SMITH: You may not understand people who are prepared to go through public forums. You usually operate under a veil of secrecy. There are people who believe that a greater level of protection is offered through a judicial inquiry and who are prepared to provide evidence before such an inquiry but, for whatever reason, are not prepared to cooperate with a police inquiry. That is the position which has been adopted consistently by my colleague the member for Stuart.

Mr Palmer interjecting.

Mr SMITH: The member for Karama has a voice. That is very good to hear. We have not heard it previously during these sittings.

Mr Perron: We hear a lot more sense from him than from some members opposite.

Mr SMITH: We always seem to hear him making interjections after lunch on the last day.

Mr PALMER: A point of order, Mr Speaker! The Leader of the Opposition has made certain intimations which I resent.

Mr SPEAKER: Well, you may resent them, but there is no point of order.

Mr SMITH: Thank you, Mr Speaker. If the member for Karama cares to check the Hansard record and his interjections, he will know that what I have said is correct.

Mr Speaker, it may be unfortunate but it is a fact that there is considerable concern about the operations of BTEC in the Northern Territory. There are people who are prepared to give evidence before a judicial inquiry who are not prepared to give evidence to the police. Mr Speaker, I repeat the Labor Party commitment that a Labor government in the Northern Territory will hold a judicial inquiry into BTEC. Everything in the minister's statement confirms our call for this matter to be handled by a judicial inquiry. He has attempted to isolate certain individuals and certain people within the industry in order to discredit them publicly. He has done this very deliberately, with the intention of trying to ensure that these allegations do not raise their heads again.

Mr Reed: The allegations were unfounded.

Mr SMITH: The member for Stuart spends a great deal of time travelling around the bush - much more time than the member for Katherine does - not only in his electorate which, I remind honourable members, includes a complete spectrum of the rural area right across the Territory. He spends a lot of time getting to know the issues and concerns of people away from the urban centres. He talks to a range of people and all elements of the industry. He talks to people involved in transport. He speaks to producers and ringers and working men and women in the pastoral and buffalo industries.

Mr Reed: But does he tell you what they say?

Mr SMITH: Mr Speaker, he has been consistently telling this House what they are saying.

In developing our approach in government to this vital sector of our economy, he has made it clear time and time again that all sectors must be talked to and that all policy decisions must be made with the interests and aspirations of the people of the bush in mind. This stands in stark contrast to the approach of the minister and the government. All members on this side of the House are extremely concerned about that approach and today's statement increases rather than eases our concern. The minister's approach is divisive and confrontationist It has destroyed an industry which has formed the basis of Territory development in our history.

Honourable members should ask themselves why the buffalo industry today is in such total disarray. There are a number of people in this industry who have been driven to the wall. Members of this House should ask themselves why the cattle industry in the Top End is under threat. In answering those queries, members need to look no further than the abysmal handling of the primary industry portfolio by the minister and his passing parade of predecessors.

The member for Stuart, in all his conversations with pastoralists, the workers in the industry, has heard about 2 major concerns ...

Mr Reed: Was he on a high at the time?

Mr SMITH: You are very funny. Thank goodness we will not have to put up with you after the next election.

The first concern is for the future of the industry. People are extremely worried as they see everything they have worked for over many years going down the tube. How many people whose families have lived in this Territory for generations have left or have moved out of the pastoral industry? The figure is quite worrying.

The second issue that arises time and again is people's concern about BTEC. For many years, this concern has been widespread in the industry. It reached a peak last year, because the honourable member decided to raise this issue as a matter of concern in this House in order to establish a mechanism to get to the bottom of it all. All we have heard subsequently is selective venom from the minister aimed at discrediting people that he sees as enemies within the industry. The question remains: if the honourable minister was so confident about all matters involving BTEC, why did he prevent the member for Stuart seeing all the relevant files, particularly after he gave an initial commitment that the member for Stuart could see all the relevant files? Why did the honourable minister change his mind?

Everything in the statement delivered today is a further example of the minister's tactics in this matter, tactics for which he stands condemned. I ask him to go out to people in the industry and tell them what he has told the House today.

Mr Reed: They have copies of it already.

Mr SMITH: Let him go out and selectively abuse people, as he has done in this House today. He will be treated like the sick joke and the oncer in this parliament that he is. The Labor Party ...

Mr Reed: Come on, we want something with substance, not this rubbish. Give us some facts.

Mr SMITH: We will give something of substance, when 1 of 2 things happens - when the honourable minister provides access to his files to my colleague, as he promised to do or, secondly, when a Labor government establishes a judicial inquiry into the operations of BTEC.

Mr Perron: Are you saying that you are dissatisfied with the police report? Is that what you are saying?

Mr Reed: Michael Abbott QC's opinions?

Mr SMITH: Mr Speaker, we have no problem with the police inquiry and I was casting no aspersions against the police or against Michael Abbott QC at all. We say simply that it was clear from the start that significant sections of the industry were not prepared to cooperate with the police inquiry, and that has prevented the police themselves from getting to the bottom of this particular matter. It might be helpful, and enable us to make a comprehensive judgment on this matter, if the honourable minister were to table the police report in this House instead of quoting selectively from it. If his case is so strong, why does he not come out in the open and put the police report on the Table so that we can have a full and comprehensive debate on it, instead of selecting relevant sections from it?

Mr Reed: Is that it?

Mr SMITH: That is it!

Debate adjourned.

STATEMENT
Classifications for Remote Area Benefits

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Speaker, I rise to make a statement on classifications for remote area benefits. Late last year, the Chief Minister made a statement on recruitment and retention initiatives that this government had put in place in the public service. That package placed great emphasis on the special contributions made by public sector employees living and working in remote and isolated areas of the Northern Territory. As the Chief Minister said in his statement, people working in remote areas face particular problems and often labour under extraordinarily difficult conditions. They face the rigours of isolation, and a lack of access to many of the facilities which people in and close to larger towns take for granted. The demands on individuals and families are extremely severe. Often there is a lack of opportunity for simple social interchange which can have a serious impact on people doing important work in difficult circumstances.

The Chief Minister said that, if we expected people to work in such difficult circumstances, we needed to acknowledge the special services they provide. He went on to unveil a special package of conditions to be made available to our isolated and remote area employees from 1 January this year.

When the Chief Minister made his statement in November, he told members that the system of classification for remote area communities was under review. I am happy to inform the House today that this comprehensive review of factors affecting employment in isolated communities has now been completed. It has required a great deal of interdepartmental cooperation and consultation to ensure fairness across the range of different and difficult circumstances experienced across the Territory. We all know that there are vastly differing degrees of isolation in the Northern Territory.

The package of benefits put in place by the government is said to apply to remote areas but, in reality, the term 'remote' is used to describe circumstances in a wide range of different communities. Different factors operate to create isolation and other difficulties. For example, Hermannsburg qualifies as a remote community of the Northern Territory, but is it as isolated as, for example, Kintore? Do the people in Port Keats face the same difficulties as the people in Nhulunbuy? Does an employee at Umbakumba have the same opportunity for social exchange as his or her opposite in Alyangula?

We could debate the merits or otherwise of all Northern Territory communities in this House for a week, but such an approach would provide little more than a collection of our individual likes and dislikes or our gut feelings about different communities. Instead, the government began with a scientific approach to the classification process, creating a base within which a series of factors were identified, scored on, and listed for each community. Obviously, an important factor was the distance which must be travelled by people from each remote community to reach the nearest major centre but, as I have said, isolation cannot be measured purely in terms of kilometres by road or air. In all, 14 factors were assessed. The factors were: shopping; resident health services; sporting, recreational and entertainment facilities; radio reception; availability of repairers; postal services; confidential telephone; local inflation; banking facilities; police presence; community structure; social accord; air services; and environmental factors, including access and climate.

The next step was to compare the results for uniformity and practical applicability across the Territory. A major factor in this process was the consideration of existing agreements which endeavour to assess conditions of remoteness. An example is the Priority Transfer Scheme, operating within the Department of Education. The scheme has considerable standing in the community and has been in regular use for more than 7 years. It is pivotal to the proper operation of the transfer system within the Department of Education. It appears that it is satisfactory to all who use it, although I believe its age has created some inconsistencies. That is a significant problem which will not apply under the New Remote Zoning System, which will be reviewed on an annual basis.

In weighing up all the statistical and practical considerations, the government drew sparingly on the basic experience of members who have visited the vast majority of these remote communities in the course of the past year. As a result, the basic 5-tier remote allowance structure will be augmented by an entirely separate category, including Jabiru, Yulara and Tennant Creek. I will return to the conditions which apply to those centres in a minute. First, let me describe the entitlements of all employees in each of the 5 basic categories which took effect from 1 January this year.

All employees in the 5-tier remote allowance structure receive: a payment equivalent to the accommodation component of 3 days travelling allowance in conjunction with each Fares Out of Isolated Locality Scheme entitlement received, that is 3 days travelling allowance component in conjunction with each FOILS fare; assistance in paying travelling costs for their families when attending professional seminars once a year; and assistance in meeting home contents insurance costs in any situation where the insurance premium paid in an isolated community exceeds the cost for the same item in the nearest major urban centre. As I said, these 3 incentives are available to all government employees in remote communities covered by the Remote Area Incentive Scheme.

An additional 2 incentives, which are paid at different rates depending on the degree of remoteness, are also available to remote area workers. The first is provision for special study leave by accruing points for service in remote areas. Once an employee accrues 20 points, he or she will be entitled to 1 semester of paid study leave. 40 points entitles an employee to 2 semesters or a full year of paid study leave. The category system is therefore important for those employees because it shows them how they can qualify for study leave in different communities. The second variable incentive is a rental rebate scheme. The more remote the community according to the 5-tier zoning structure, the larger the rebate the employee will receive. I realise that it is difficult to gain from a speech such as this a broad picture of what this new classification system will do for workers. Therefore, I table a number of documents which, I am sure, will clarify the situation.

First, however, I would like to explain how the benefits change for employees in each category. Category 5 includes those communities which are considered to be the most remote according to the assessment criteria. These are communities which, because of their isolation or the serious impact of other factors, can be considered among the most disadvantaged in the Territory. The level of assistance to workers in category 5 communities will be significant. They will receive the highest rate of rental rebate, which is 100%, plus 5 study leave credit points for each year of service. I will not recite all the communities in this category now as it would take too long. However, they include Lake Nash, Kintore, Docker River, Nyirripi, Wadeye, Galiwinku and Numbulwar. Category 4 workers will receive an 87.5% rebate on their rent plus 4 credit points for each year of service. Communities in this category are Papunya, Utopia, Ngukurr, Oenpelli and Pigeon Hole. Category 3 employees will receive a 75% rental rebate and accrue 3 credit points for each year of service. Communities in this category include Arltunga, Kings Canyon, Mallapunyah, Brunette Downs and Milikapiti. Category 2 employees will receive a 62.5% rental rebate and 2 credit points for each year of service. Communities in this category include Keep River, Woolaning, McLaren Creek, Hermannsburg, Yirrkala and Borroloola. Category 1 employees will receive a 50% rental rebate and 1 credit point for each year of service. Included in this category are Nhulunbuy, Daly Waters, Elliott and Ti Tree.

I will now table a number of documents which set out this information in more detail. The first is a colour coded map showing the position and category of each community included in the remote area scheme. The second is a listing of the communities. The third is a document which shows the assistance available to employees in each category. This information is available to public sector employees throughout the Territory through a circular sent to them today by the Public Service Commissioner. I have no doubt that members will want to argue the merits of some of the categories allocated to the various communities. Nevertheless, I must repeat that the government has given exhaustive and balanced consideration to all the factors which apply. A simple arithmetical assessment of the number of retail outlets and petrol pumps or the state of road access, communications or social accord can be taken as an indicator, but it cannot in itself explain why some remote localities are more attractive to employees than others. On the other hand, the tendency for remote area employees to vote with their feet when it comes to the state of facilities in these locations could also be considered as an indicator. Once again, such considerations as the views of individuals visiting these regions must not be taken in isolation. It is a complex picture in which many competing factors have been weighed up and applied in a reasonable way.

As I have mentioned, in addition to all of the above categories which formed part of a package announced by the Chief Minister last year, the government has decided to create an additional category, category 6. Let me make it clear from the start that the communities in category 6 are not classified within the incentive package as remote. Therefore, they will not qualify for the general incentives which have been offered. We have created this extra category to recognise that, while the workers in these communities do not face the same level of extreme isolation or hardship, nevertheless they face difficulties not experienced by employees living in or near the major urban centres of the Territory. There are 3 towns or communities in this new category: Jabiru, Yulara and Tennant Creek. Public service employees working in these 3 towns will receive a 25% rental rebate also from 1 January this year. I believe the rental rebate for employees in these communities will address an anomaly which has become apparent over recent years. That anomaly is that private sector employees in communities such as these have often received rental assistance while their colleagues in the public sector have not.

The remote area classification and incentive scheme that I have outlined here today is part of an overall package designed to address the specific problems faced by employees in isolated communities. We all know of the hardships these employees face and we have all seen examples of their dedication to serving Territorians. They deserve special recognition and assistance to ensure that they and their families are not disadvantaged by the conditions under which they live and work. I am happy that this government has been able to offer that special recognition.

Mr Speaker, I move that the Assembly take note of the statement.

Mr BELL (MacDonnell): Mr Speaker, I have noted with considerable interest the statements made by the government in respect of the benefits that are the subject of this statement. I believe that, broadly speaking, the government is to be congratulated on these initiatives. The intention to assist organisations providing public services to retain staff in remote communities is very welcome. Having had the experience of living in a category 3 and a category 4 community, I am very interested. I am sure that constituents of mine, who are expatriate employees in many of those communities, will be very pleased that those initiatives have been taken. I will be monitoring their application with the rangers, police, school teachers and other categories of public sector employees. The majority of them are expatriate employees, but I imagine that some local people will be covered by these provisions.

I note that there is a uniform rental rebate arrangement. From my own experience, I would draw to the minister's attention - and probably he would be aware of this himself - that, for a husband, wife and family living in a remote community, the quality of their housing is important. If it is necessary to move into a house and spend a substantial amount of your time carrying out repairs on what is a government-owned building, a different scheme should apply than if you have a relatively new, well-maintained building. It is a fact of life that, in those remote communities where regular maintenance services are usually not available locally, the maintenance programs have to be carried out by the tenant. It is not unreasonable that rebate arrangements should reflect that.

As I read through the various categories, I can see the logic of them. As the minister explained in his statement, the distance from Alice Springs or Darwin generally determines the category, with the higher categories being the more distant ones. The exception is the special 6th category,

which includes Yulara, Tennant Creek and Jabiru. On the surface of it, that appears to be a reasonable allocation. However, I will be interested in the perceptions of some of my constituents in various places.

These measures address the situation of people in public sector employment in remote areas. Just for a moment, I want to mention the plight of the many people in those areas who do not have employment or occupation of any sort. I have mentioned this issue on a large number of occasions in this Assembly. I am deeply concerned, at the possibility that, were Mr Peacock and the federal coalition to be elected to government, a large number of people who are on unemployment benefits might find their sole source of income cut off, because of measures contained in the so-called economic action plan, and be forced back onto ration arrangements. Many such people live in the remote areas which are the subject of this particular statement and I believe that the Minister for Labour, Administrative Services and Local Government, who has taken a keen interest in this issue, should have something to say about that. I noticed in question time yesterday that he made reference to some special category in the Peacock policy.

Perhaps the minister is aware of special arrangements that have been made but, to my mind and in the mind of many of my constituents, were a Peacock government to be elected - and I advisedly use the hypothetical subjunctive - it would be a disaster for those people. It is a matter of great concern to them, and I am sure that it would be a matter of great concern to the constituents of the member for Victoria River, if people were to be taken off social security benefits in that way. Whilst the issue may be parenthetical in respect of this particular statement, I believe that it is an issue which should be addressed by the minister.

Mr Hatton: Tell us about Mr Hawke's scheme.

Mr BELL: Mr Deputy Speaker, I will respond to the interjection from the Minister for Health and Community Services. The fact is that the dramatically increased access which these communities have had to programs such as the Community Development Employment Program under the Hawke Labor government has been of great benefit. I believe that, in tandem with local government arrangements, be they community government arrangements or whatever, those programs of the Hawke government can be made to work well. Unlike the Territory government, I do not have a slavish need to criticise everything which the federal government does. In answer to the interjection from the Minister for Health and Community Services, I believe that the Hawke government's approach to those people has been very helpful and appropriate. Instead of getting involved in that sort of nonsense, perhaps the Minister for Health and Community Services ought to try to get some sense out of the leader of the federal opposition in terms of the impact of his policies on the large number of my constituents who do not have jobs and do not have the prospect of getting them, and who are dependent on the social security benefits which would be cut if a Peacock government were to take office.

I believe that this is a constructive approach to assisting continuity of services in remote areas. The turnover of staff in those remote communities is very high. If we aim towards a 3-year stay for most expatriate employees in those communities, I think we will be doing well. Likewise, if we can work to move the indigenous people into those jobs - and I use 'indigenous' in the dictionary meaning of the people who are locally born in those communities and will be spending their lives there - and aim for a 2- or 3-year stint on their part, that will be a worth while objective.

Perhaps it should be pointed out in the context of this statement that these benefits are very much directed towards expatriate employees. I appreciate that the member for Sadadeen takes exception to my using the term 'expatriate employees', but I think that it is an explicit term. Expatriate employees are people who come from other parts of Australia, often very distant parts, to work in remote areas. They do so because they like the bush and because they want to make a contribution, often in community development roles as teachers, police officers, nurses and so on. They come for a variety of reasons. The old saying used to be missionaries, misfits, and materialists. Having been one of those expatriate employees in one of those communities, I think probably a bit of each of those categories were involved in my working there. I will not speculate on that and I discourage any other members from doing so.

However, I think it is worth while pointing out that this scheme is very much directed towards benefits for expatriate employees. Perhaps, in another statement or in his summing up, the minister might give some thought to the indigenous people in those communities who are increasingly taking on those jobs. Some 15 or 20 years ago, none of those jobs were done by local people. There has been some excellent work done over that time in terms of indigenous people moving into those jobs. When I look at the employment of health workers, names come to mind such as Frank Djana who has been working for 10 or 15 years. He has worked largely at Jay Creek but I believe that he has also worked at Areyonga. His old father still lives at Ayers Rock and he has worked down there. I think of people like Johnny Briscoe, who has worked for a long time as a highly-qualified health worker at Finke. I think of school teachers like Jean Brumby at Docker River. Undoubtedly, there are other people whom I should mention.

There is 1 person whom I will mention and the Minister for Police may be aware of police aide work in the Centre. I mention particularly the work of Phillip Ellis who lives and works at Santa Teresa, the fringe camp communities and Amoonguna, where different parts of different families who are associated with those places live. Whereas these benefits are designed to attract and retain expatriate staff, the training and tenure of indigenous staff in those positions needs to be given due consideration in parallel with many of the welcome initiatives in this statement.

Mr HARRIS (Education): Mr Speaker, I rise to speak to the statement. Among the major recipients of benefits from this package will be the teachers who are scattered throughout the Northern Territory, an area of 1.6 million square kilometres. Some of them have to put up with very isolated and difficult environmental conditions. I welcome the comments from the member for MacDonnell in relation to the package. It has been a very difficult exercise. As a person who has been fortunate enough to travel to most of those communities, I can assure honourable members that it is a difficult exercise.

The member for MacDonnell referred to the condition of buildings. One of the difficulties is the attitude of the community towards those buildings. The conditions in some places today could change markedly overnight. There are examples of where that has occurred. Mr Speaker, you will remember that Mount Ebenezer, or Imanpa as it is now, was a lovely little community with a wonderful attitude. In a very short space of time, that community fell to pieces. The school was destroyed and the whole attitude has since gone downhill. Those are the issues which have to be addressed and, obviously, the questions of building maintenance and housing conditions are of major concern in those areas.

The only disappointing part of the member for MacDonnell's contribution came when he touched on matters relating to federal government policies. I will touch briefly on the issue of unemployment benefits and I am sure that the Minister for Labour, Administrative Services and Local Government will delve into that a little more deeply. When I visit remote communities, I often talk to people about how we want them to become teachers, doctors, health workers and so on. Their response is: 'Why should we work to receive less?' They are receiving more money through social security at the moment than they would receive as teachers, assistant teachers or health workers. That is a major concern and it needs to be addressed. The problem concerns what the levels should be. There is an industrial process for determining salaries and that whole matter has to be looked at. I am sure that other honourable members who visit remote communities have heard the same comment that I hear: 'Why should we work to receive less?' I just make that comment in relation to the unemployment benefits question. We cannot stick our heads in the sand. That question has to be addressed. I believe that the federal Coalition is doing that.

In discussing the policies of the Hawke government, I must mention the White Paper on Education. Honourable members would be aware that a report on teacher quality was prepared by the Schools Council for the National Board of Employment, Education and Training and released some time ago. That particular report is very critical of some aspects of the White Paper, specifically in reference to distance education, the area which impacts so strongly on the people who live in remote communities. I will quote from that report:

> The Commonwealth decisions regarding distance education centres also have implications for teacher education, although more at the in-service level. If the 3-year diploma course remains the main vehicle for the preparation of primary and some secondary teachers, then it will continue to be important that the opportunities for teachers to upgrade the diploma to a degree are not in any way reduced. As a great many teachers, particularly in those states large in area and with dispersed populations, do this through external studies, they will be affected by the recent decisions on distance education centres.

What has the Commonwealth government decided to do as a result of the White Paper? In the area of distance education, it has decided to cut the number of distance education centres throughout Australia to a maximum of 8, and I will indicate to honourable members where those 8 distance education centres are to be located: the Charles Sturt University in New South Wales; the University of New England, Armidale; Deakin University in Geelong; Monash University in Melbourne; the University of Central Queensland, Rockhampton; the University College of South Queensland in Toowoomba; the Western Australian Distance Education Centre; and the Murdoch University in Perth.

As the opposition knows, the teaching profession in the Territory operates in a unique environment. We have all recognised the problems which exist in our remote communities yet, under the federal government's White Paper containing the Hawke government's policy, the Northern Territory University is not allowed to develop courses so that teachers can upgrade their qualifications in areas suitable to the Territory. Instead, those of our teachers who want to upgrade their qualifications through distance education are forced to study courses at Geelong, Armidale, Toowoomba or one of the other centres. One would have thought that, at the least, the federal Labor government would have acknowledged the need for distance

education centres to be developed in appropriate places, one of which is the Northern Territory.

This matter is of concern to the Schools Council, which is set up by the Commonwealth government, and it is of major concern to me. It should also be of major concern to others who are concerned to see our teachers upgrading their qualifications. Appropriate opportunities have to be provided. Later today, I will refer to other matters associated with the federal government's White Paper on Education. I have mentioned this specific aspect because of its impact on the teachers who live in isolated communities.

As I mentioned at the outset, this has been a difficult exercise. A large number of people have been involved in putting together the proposal which we have before us. Many of the situations will change as time goes by and there is no doubt about that. In some cases, change can happen very quickly. As the minister indicated in his statement, a review will be carried out and we will be monitoring very carefully exactly what occurs in the various communities as a result of the benefits being offered.

The teachers who work in those communities are to be congratulated. They are dedicated people, as most teachers are. In many cases, they work in appalling conditions in the bush. I must say that I believe that some of them live for working in the bush. Others, unfortunately, just are not suited to working there and teaching in those communities. As I have travelled around, I have been aware that some of those people should not be teaching in an isolated community at this time.

As I said at the outset, I welcome the comments of the member for MacDonnell. There are some difficult situations and probably there are some anomalies. Honourable members can see those anomalies but we have to draw a line somewhere. We have to have a scale. I believe that the zoning approach outlined in the minister's statement is the best way of tackling the matter at this time. I support the statement.

Mr SMITH (Opposition Leader): Mr Speaker, I find it astonishing that, when the Chief Minister presented this report in November, he did so without any consultation with the public sector unions. Today, the Minister for Labour, Administrative Services and Local Government has filled in the details and there still has not been any consultation with the public sector unions. It is coincidental that, on this occasion, the Secretary of the Royal Australian Nursing Federation is seated in the public gallery. There has been no consultation with that group and our checks with the Public Sector Union and the NT Teachers Federation indicate that there has been no consultation with those groups either.

I do not know how the government can seriously expect to come up with a set of incentives that will appeal to people in remote areas if it does not talk both to the people who work in those remote areas and their unions. Those people may not have all the answers but they will certainly have some of them, particularly in the context of such incredibly high staff turnover rates. We heard yesterday, for example, that the turnover rate for nurses in the centralian area was 66%. There has been no consultation with the Public Sector Union and, as a result, the government has developed a package of conditions which is less than perfect.

The particular condition which comes to mind is that which contains the so-called generous study leave provisions. The study leave provisions are so generous that, if you spend 8 years in one of the most isolated areas, an

area in category 5, your reward will be 1 year of study leave. The problem is not one of getting people to stay in remote communities for 8 years; it is to get them to stay for 1 year. The study leave provision in this particular set of incentives is ludicrous. It does not address the real problem, which is to get teachers, nurses and public servants to extend their 6-month stay to 12 months and, hopefully, to 2 years. We do not need this nonsense about receiving 1 year of study leave for staying in a category 5 location for 8 years or a category 1 location for 40 years. That is plainly ludicrous. It indicates that the measure has not been clearly thought through. If there had been proper consultation with the unions, the government would not have arrived at a ridiculous proposition like that.

I have had some experience in this area, having been the Secretary of the NT Teachers Federation. The best assistance that was ever provided for teachers in isolated areas was the clause x air fare. That was something for which I take some credit, having argued the case before the Arbitration Commission at the time. It was interesting that, at the time, it was the subject of vociferous opposition from the government. The government went in boots and all to oppose clause x air fares. I am pleased to note that it has changed its mind, and a part of the incentives package that I do support and agree with is that the government is now giving accommodation expenses for up to 3 nights to go with the fare. That is a positive incentive and one that may well make it more attractive for people to remain in isolated areas longer. That may well work to that end.

What keeps people in isolated areas is not simply, I think, a matter of incentives, although incentives are important. I have acknowledged the importance of the clause x air fares and the accommodation component. I acknowledge also the incentive of rent reductions for the different categories and I think that may well assist too. It is a pity that, despite the fact that people have been talking for some years about a position where rent paid in isolated areas could go towards the deposit for a house in town when people move back into town, that has not eventuated in this package. I put that proposal up again. I would like to hear the honourable minister's comments on why that is not possible. Why cannot the rent paid whilst serving in an isolated community be used as a partial or full deposit, depending on how long a person has been in the remote area, for a house in an urban centre like Alice Springs or Darwin? I am sure that that would be a very attractive incentive for people to go to isolated areas and to remain there for a length of time.

However, it is not simply those financial incentives which keep people in remote and isolated communities. It is also a sense of achievement, a sense of purpose and a sense of support. It is interesting to talk to the member for MacDonnell about his experiences in isolated areas. The main thing that sticks in his mind is what, in his case, he perceived to be the lack of administrative support provided to him whilst he was teaching in isolated schools, the main one being Areyonga. People will not stay at an isolated school - or in an isolated community, if they are not teachers - if they are not receiving proper administrative support from headquarters, wherever that headquarters may be. That is something that I do not think has been addressed properly in this package.

If you are professionally isolated in your school community, if you have a feeling that you are out of sight and out of mind and that no one cares, one way or the other, whether or not you are doing a good job, then you have real problems. I have a sneaky feeling that, if administrators addressed those particular issues and were able to ensure that people teaching at the remotest school or working at the remotest health centre had a very active

feeling of being part of a broader team, were looked after and did not have to fight daily and weekly battles to ensure that supplies of gas, diesel fuel or chalk were available to them, the system would work better. If those aspects were effectively and efficiently handled by the central administrative system, we would have a system that worked better and we would have teachers and other public servants who stayed longer in remote communities.

That is a simple administrative process. It requires some effort and willingness, but it is not necessarily expensive. To throw money at the problem, as has been done here, is not to solve the problem. One of the very real reasons that that is so is because it appears that the people who are at the coalface or the 'chalkface' have not been consulted. Certainly, their professional organisations have not been consulted, and I would have thought that a prerequisite to effectively targeting this problem ...

Mr Perron: How many of them do they represent?

Mr SMITH: I think that you will find that the representation of unions in isolated communities amongst public servants is extremely high indeed as a result of the frustration that those public servants, teachers and nurses, feel at having to serve in those communities without being adequately and properly supported, and without being adequately and properly compensated. That is what you will find. Certainly, that was the case when I was in the NT Teachers Federation. Those people have a very real and very acute sense of isolation, and it does need to be addressed.

Mr Speaker, I do not want to be completely negative about this, and certainly I do not want to quibble about the categories. The government seems to have gone about determining the categories in a comprehensive manner. As I have said, and as the honourable minister said, when anyone tries to categorise anything there will always be something to quibble about.

However, the main quibble I have with this particular statement, as I have said, is that it does not really address the key concern of staffing in remote communities, and that is extending the 3- to 6-month stays into 12-month and 2-year stays. The rent component does that. The clause x air fares and associated accommodation expenses do that, but other elements of the package, particularly the study leave provisions, do not do that. When this package is reviewed, by whatever government is in power, whether it be a CLP government or a Labor government, it must be a priority to say that the aim is to keep people there for 12 months or 2 years, and to detail a series of packages that help to achieve that, rather than, as we have done in this case - through our failure to consult the relevant professional associations and the people who actually work in those remote areas - just chucking money at the problem.

Mr HATTON (Health and Community Services): Mr Speaker, I rise to support this statement and to congratulate the honourable minister and the Office of the Public Service Commissioner on the development of these additional incentives.

In opening, I must say that a clear division is showing itself once again in the ranks of the opposition with open and wholesome support for this proposal coming from the member for MacDonnell, somebody who has worked in the rural areas and represents a rural area and, of course, carping criticism from the Leader of the Opposition who, until 9 years ago, was involved with the NT Teachers Federation, and now represents an urban seat

in Darwin and, as a result, doubtless has a power of knowledge about the circumstances of living in the bush in the 1990s.

His first point of carping criticism was that we did not consult with the unions. In his zeal to grasp at anything he could find to criticise the government over, he did not mention that the unions have never asked us to do anything. The government decided unilaterally that it would provide additional incentives and assistance to people working in the rural areas. This is not a case of responding to demands, but of the government seeking unilaterally to provide some support and assistance to the many, very dedicated people working in the rural areas, the police, the nurses, the Conservation Commission rangers, and the teachers, a range of people scattered throughout the remote areas in the community. There are costs associated with being in the bush and there are disadvantages that people incur through living in the bush. Whilst many people willingly go out and work in those areas, because of their dedication and the job satisfaction that they experience in many cases, often they do it at the cost of personal hardship and certainly they experience a degree of social isolation that should be recognised. It is true that many people who take these jobs find the going very tough, and the turnover figures are high as a result.

To offset some of those factors, in addition to the previously existing schemes for people working in remote areas of the Northern Territory, we now have some very important elements of assistance, including scales of accommodation assistance and, importantly, particularly for people in the professional areas, the opportunity to develop and to obtain significant amounts of fully-paid study leave to engage in further study. For example, in 4 years service, accumulated over a period of time in a location or in a number of locations in the category 5 group, a person can develop sufficient study leave points to take 6 months or a full semester of fully-paid study leave. An additional 4 years, or a combination equivalent, allows a person to accumulate 12 months of fully-paid study leave. To be able to accumulate service time to qualify for 12 months study leave on full pay is a great opportunity to many people, enabling them to undertake postgraduate studies or other career and personal or professional development. It provides a genuine incentive for people who are involved in work in those remote areas.

With respect to the general areas, I must say that I am particularly pleased to see recognition given in the form of some accommodation assistance in Tennant Creek. People have argued as to whether or not a town such as Tennant Creek should be incorporated in that, but honourable members will recall that debates have occurred in this Chamber in recent times about the difficulties of recruitment to and retention in Tennant Creek. This will certainly assist us to recruit and retain nurses in places such as Tennant Creek. Whilst the study leave provisions do not apply there, it is an additional assistance.

The Department of Health and Community Services and the Conservation Commission employ probably the largest proportion of people working for the Northern Territory government in the communities. The Minister for Education might dispute that, but I think that everywhere there is a school there will be a nursing sister. In places where there are no schools, there will be nurses servicing communities from one end of the Territory to the other. Of course, there are Aboriginal health workers throughout the communities.

This is an excellent program. It is a shame that the Leader of the Opposition cannot contain himself. He cannot find the grace to compliment the government on doing something, on its own initiative and without

pressure, to provide assistance for people working in the remote areas. He has to ask why we did not do this or do that. He has to knock and criticise a program that is providing something for people. Obviously, he has serious problems with his own colleagues. The member for MacDonnell could not but support this. He relates it to his own experience of working in rural areas and he regards it as a worthwhile package. The member for MacDonnell, who is involved with the rural areas of the Territory, understands this package considerably better than does the Leader of the Opposition.

I trust that the Leader of the Opposition can resolve his internal conflicts and again stick a bit of wallpaper over the emerging cracks in the tissue of alleged unity that he is trying to present to the community. As we all know, it is a nonsense. We know that he experienced 3 leadership challenges in 1989 - interestingly, challenges by the member for MacDonnell. We know that his party is split left, right and centre. We know that, in the unlikely event of the Labor Party achieving government, he would be rolled, because the factions are stacked up. If his party won, he would lose anyway. He has no prospect of ever becoming Chief Minister under any scenario. I think he is relying on yippee-beans, or other support mechanisms such as those his deputy referred to yesterday, to bolster his ego and to fuel his fantasies and hype. He has read the 'Power of Positive Thinking' and seems to think that, if he says often enough that he will become the Chief Minister, one day it might actually happen. It really is a shame that he has to engage in those pathetic practices, but let him continue. If he gets a kick out of it, good luck to him. In the meantime, we will get on with trying to do something to help those public servants who are working in the rural areas.

Mr Speaker, I congratulate the honourable minister on this program.

Mr TIPILOURA (Arafura): Mr Speaker, I will not take up too much of the time of the House. At the outset, I indicate that I support the minister's statement. It is good news, especially for public servants in the communities out bush. I want to ask the minister whether this will apply also to the local people in the communities who work for the government as nurses, teachers and police aides? Will this package be available to them? They too work very hard in the bush, helping out in the schools, in the clinics and with police duties.

It is a shame that it has taken this government so long to come up with this package to assist the public servants who are working in the bush. The CLP has been in government for 10 years and it has taken it that long to develop a scheme to help those teachers, the police and the nurses in the bush.

Mr McCarthy: What did the Commonwealth do in the 60 years prior to that?

Mr TIPILOURA: As I said, I support the scheme, and I am sure that it will work well. There needs to be cooperation between the government and the communities. The Minister for Education referred to housing. Maybe the communities themselves could assist in providing housing for teachers, nurses and other public servants who work in the communities. If the government made the right approach to the communities and talked to them, instead of bulldozing its way in as it does at times, the communities might help in that way. There are examples of the government bulldozing its way into communities without consulting with the people. The people in those communities become very angry as a result of that.

Mr Speaker, as I said, I welcome the scheme. Hopefully, it will work well for the people out there, especially the European people.

Mr Perron interjecting.

Mr Smith interjecting.

Mr SPEAKER: Order! The member for Arafura will be heard in silence.

Mr TIPILOURA: I think that the government has done well in deciding on the 6 categories and I support that, although the inclusion of Jabiru and Tennant Creek is a big surprise to me. I would have thought that they were self-supporting. However, I am happy that they have been included. Again, I remind the minister about my question as to whether these provisions apply also to the local people who work for government departments in places in the various categories.

Mr Speaker, I support the use of the 14 factors in making the assessment. There is a lack of shopping facilities in many communities. Health services, sporting, recreational and entertainment facilities are very short in many communities. Radio reception is very bad in some places in my electorate, particularly in the western Arnhem Land area. Repairs are also very difficult to obtain in many communities. Often, there is just a mechanic employed by the local association or community council. Postal services still have problems at times, especially in the isolated communities in my electorate and in the remote areas generally. I know for a fact that in places like Minjilang and Warruwi in my electorate, postal services are often affected by delays in air services. The landing strip is not in very good condition at times and occasionally people have to wait for several days or even a week for their mail to arrive. Telephones are also a problem in my electorate, especially in the 2 communities which I have just mentioned.

Mr McCarthy: Who is doing something about that, Stan?

Mr TIPILOURA: Are you? Nothing has been done over there as far as I know.

Banking facilities are also a problem. There is a lack of banking facilities in communities. Insufficient police presence in communities is another problem. One of the communities in my electorate, Nguiu on Bathurst Island, has been requesting a police presence for the entire 10-year period since self-government. Nguiu's population is growing every year and is now between 1200 and 1500. We have 2 police aides, who are doing a good job, but we have been requesting a greater police presence for a number of years. Community structure and social accord is another crucial factor, as are air services, environmental factors, access and climate.

Mr Speaker, as I said at the outset, I support the minister's statement. As I also said, the scheme is long overdue but let us hope that it will work well out in the bush.

Mr LEO (Nhulunbuy): Mr Speaker, I will indeed be brief.

Mrs Padgham-Purich: That will be a change.

Mr LEO: I must assure the member for Koolpinyah that, of all honourable members, I am guilty of making the briefest comments in this House.

I must assure the minister that I have great hopes for the Office of the Public Service Commissioner in its pursuit of independence as far as the public service is concerned. I am sure that no member in this House is in any doubt that, within relatively recent history, the public service has been politicised. I accept and hope that the Office of the Public Service Commissioner remains unpoliticised. However, I must ask the minister to refer to the Office of the Public Service Commissioner the weighting given to the factor of community structure. It is one of the factors used in assessing the categories, together with availability of shopping facilities; resident health services; sporting, recreation and entertainment facilities; radio reception; availability of repairs; postal services; confidential telephone; local information; banking facilities; police presence; social accord; air services; and environmental factors including climate.

Community structure is the most pertinent factor of all and I do not know what sort of weighting it has been given. There is no point in denying that, for European people who arrive in them, Aboriginal communities are strange places. They have a completely unfamiliar social structure and completely unfamiliar community structure. They have a completely different set of community rules to those previously experienced by Europeans. There is no point in denying those simple facts of life. I would ask the minister to examine the weighting given to that particular component of community structure.

The question which arises in my mind is whether the community structure component has been given sufficient weight. When I see the document which sets out the various categories of communities, I see that Jabiru and Tennant Creek are weighted as black spots on the map of the Northern Territory. I would like an explanation of why Jabiru, Yulara and Tennant Creek are weighted as black spots on the map, particularly when I consider the utter isolation which first-year teachers face when they go to a community like Gapuwiyak. I do not know how many members have ever been to Gapuwiyak or Galiwinku. The Minister for Transport and Works has been to both of them but I wonder how many first-year teachers have been to those communities. Newly arrived European persons inevitably suffer great stress in those communities. The community structure ...

Mr McCarthy: What community are you referring to?

Mr LEO: Gapuwiyak.

Mr Harris: Category 6 is a different scene. The black spot is a different scene.

Mr McCarthy: Don't worry about it, Tom.

Mr LEO: Well, I read it on the map. It says that the black spot represents category 6.

I am concerned about the weighting which the department gives to the community environment. I believe that the community environment affects the turnover of teachers as much as any other factor and perhaps more than any other factor. In fact, it may have as much effect as the rest of the factors collected together. I know of individual teachers who suffer from great stress in remote communities, simply because they are completely unsure of what is required of them. The department gives them a scenario of what is required of them but, when they arrive, they discover that the community requires something totally different. Europeans in those communities are under continuous stress, be they teachers or other public servants. I would

ask the minister to examine the weighting for each of those factors when assessing the categories which are developed for public servants. From my very brief examination, I would have to say that the weighting does not favour those people who are placed under extreme stress.

When I look at locations in a lower-stress category, I notice that public servants in Nhulunbuy are in the same category as those in places like Daly Waters, Mataranka, Elliott, Newcastle Waters and Ti Tree. I am sure that I do not have to remind the minister that teachers in Nhulunbuy can never purchase a home there. I am sure that I do not have to remind the minister that public servants in Nhulunbuy are at least 700 km away from what I would call the nearest commercial centre, which is Darwin. I am sure that I do not have to remind the minister that Nhulunbuy has road access for some 6 months of the year only. It is difficult to say that places like Mataranka, Daly Waters, Newcastle Waters and Elliott suffer from those circumstances.

I appreciate that Nhulunbuy is a larger community than those at Mataranka, Daly Waters, Newcastle Waters and Elliott but its circumstances are different. I am not really interested in the politics of the Land Rights Act and so forth, but the reality is that people who go to Nhulunbuy today know that they cannot spend their lives there. They know that the drive out of Nhulunbuy is 700 km as the crow flies. It is an extremely isolated community. Whilst it is larger than Mataranka, Daly Waters, Newcastle Waters, Elliott and Ti Tree, its isolation cannot be considered on the same scale. I would ask the minister to have a look at those factors which determine the allocation of benefits under this scheme.

There is talk about community structure. It is all about isolation, when you get down to it. That is the whole basis of this structure, but there is cultural isolation and there is the isolation of distance. Those are very real factors that weigh in the minds of people, be they European or Aboriginal. I would ask the honourable minister to review the weighting system for each of those categories because I do not believe that that system relates in any way to the reasons for which public servants leave various places of employment within the Northern Territory.

Mr TUXWORTH (Barkly): Mr Speaker, I rise to make some comments on the statement delivered earlier by the minister. This debate is the second stage of a discussion that we commenced earlier last year, and I guess the proof of the pudding in terms of the success of the proposal will really be in how the retention rates of staff and the morale of staff are maintained in the remote areas. Of course, we will not know that for a year, or perhaps a little longer, when we start to see a pattern develop.

I am looking at the map. I could argue with a couple of the classifications but, really, the definition of isolation and what is a fair thing in terms of employment is something which individuals decide for themselves. Mr Speaker, whilst you and I may not always agree with what individuals decide in relation to what is and what is not satisfactory, people make their own decisions about the living conditions which they are prepared to accept.

The first point that I would put to the minister is that it would be very helpful for us all, as local members, if there were to be a review in 12 or 18 months time of exact results in terms of staff numbers and movement turnover in the respective communities.

Mr McCarthy: There will be a statement.

Mr TUXWORTH: Mr Speaker, I can tell you that many of the public servants in Tennant Creek, for instance, are extremely disappointed that they have been given the classification that they have. They feel they are equally ...

A member: Disappointed?

Mr TUXWORTH: Yes.

Members interjecting.

Mr TUXWORTH: Hold on, I am just telling you what people are thinking. They know what their classification is. They are disappointed that they did not get something higher. They feel that they are probably just as isolated as people at Gove. No one will get away from that. The minister cannot avoid that situation, and I accept that.

I think what the minister has put up is worth a good old-fashioned college try. I will go to some lengths during my travels around my electorate to get some feedback from public service staff and relay it to the minister so that he can have the benefit of knowing what people are thinking and saying about the new proposals.

Whilst the proposals today have been outlined fairly simply and will be well received, in my view, as I have mentioned before, the most important factors to consider are the back-up services and the support services that will be given to the staff, the sort of services I spoke about in a previous debate. Those are the services which public servants need and expect to receive to enable them to live and do their jobs in remote areas. Those services relate to simple things like the provision of power, the maintenance of a photocopier, organisation of maintenance and repairs for the lawnmower and so on, all the simple day-to-day things. If arrangements for rational provision of those things are not available and efficient, this proposal is really not worth the paper it is written on.

I think it is a pretty fair proposal, and well worth the time that the minister has put into it and, as I said, I am sure that it will be received in many parts of the Territory with a great deal of acclaim. But I do say to the minister that, if we do not address the support services issue, we will still have a high level of staff turnover because, at the end of the day, people will say that it is not worth the hassle, that they do not want these vicissitudes in their lives and that they can find plenty of other places to be. We need to retain people. That is the object of the minister's exercise. We need to make them feel that they have a place in the Territory and its future ...

Mr Reed: That is all those people on the government nipple, is it, that you are talking about?

Mr TUXWORTH: Mr Speaker, I will pick up the inane and stupid interjection made by the Minister for Primary Industry and Fisheries because some people in his department are amongst those who have been thwarted by the nonsense that has gone on.

Mr Reed: They are on the government nipple, are they?

Mr TUXWORTH: I might remind the minister that the stock inspectors and veterinarians in his department had their after-hours telephones taken away and they were made to put in bids for their after-hours expenses.

Mr Reed: Who fixed that?

Mr TUXWORTH: All the stock inspectors and the veterinarians will tell you that they come home from a day's work, sit down for 3 hours and ring up all the stations, and organise their next day's work.

Mr Reed: And when was that corrected? You do not know.

Mr TUXWORTH: Mr Speaker, the honourable minister interjects and says it was corrected. The stupidity of it all is that it ever happened. That is the sort of situation that makes people say: 'The hell with it, we will give it away'.

Mr Reed: We do not want the government nipple dropping off. That is right.

Mr TUXWORTH: I know that the minister would like to get a point on the board. He is trying to be half smart and mark one up, Mr Speaker, but there is plenty he can do in his own patch before he starts on anybody else's. If he wants to keep coming, I am happy to meet him half way.

Mr Speaker, I go back to my comments on the statement and say that I think it is a good start. I will be happy to support it and, if I can get some feedback to the minister from the electorate on what people think of it, I will be happy to supply that because I think that, generally, people will want to give it a go and see how it works.

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Speaker, in commencing my closing comments I will refer to the general support that was given to this statement by the opposition, and the very warm support for it from other honourable members.

The knocking attitude of the Leader of the Opposition is becoming boring. It is no wonder that he is so tired. He sits there and yawns continually during the day, but it is no wonder that he is so tired because anybody who is as negative as he is, on a day-to-day basis, will end up tired. I would be surprised if the Leader of the Opposition stood up and said something positive about anything. It is amazing, when other members of the opposition are able to praise the contents of this document, that the Leader of the Opposition can get up and be as negative as he was today. It is so strange that it is worth commenting on and I point out again, Mr Speaker, that it is no wonder that the Leader of the Opposition is so tired.

Mr Reed: You will have to speak up. He is not here.

Mr McCARTHY: And it is disappointing to find that the only member of the opposition here is the member for Arafura.

Mr Speaker, perhaps I should reiterate, at this point, that the benefits which have been talked about today are additional to the general benefits that the Chief Minister and myself talked about last year, benefits which were applicable to all public servants right across the Territory. Perhaps I could refresh the memory of honourable members in relation to those general benefits which apply to every public servant in the Northern Territory. Honourable members may recall that, last year, the government agreed to pay the full higher education levy that is imposed on people who attend any of the higher education institutions in this country. We agreed to pay that for all NT public servants who undertook relevant study in any

higher education institution that was included under this scheme. Where the course of study was available in the Territory, it was applicable to the Territory, but in some cases, it might apply elsewhere.

The government also initiated the Employee Development Scheme, under which employees in nominated categories could enter into an improvement program that was applicable to their employment. It referred also to the long service leave entitlement and, again, that was for all employees, and created an ability to pick up a portion of the long service leave benefit after 7 years, increasing to the full amount after the full 10 years - 22.5 days after 7 years, 45 days after 8 years, 67.5 days after 9 years and the 100% benefit of 90 days after 10 years. The other is that employees who left government employment and returned to it within 12 months could repurchase their superannuation benefits. The benefits that have been talked about today relate to the category system which I mentioned last year - the categories of remoteness that have been in place for some time and have now been updated.

The member for MacDonnell referred to the standard of housing and was looking for a uniform rental. It would be appropriate for me to say that the government is aiming at applying uniform rentals across all government-owned accommodation in communities during the next few months. It may take 12 months to complete the job. We are looking at the standard of housing and the establishment of a range of rentals that, hopefully, will be applicable right across the public service and will be as attractive regardless of what house you are in in whatever community. Obviously, some housing in some communities is not up to scratch. It is quite appropriate that less should be charged for that accommodation than for the new 3-bedroom, elevated housing that is being built in some communities.

The member for MacDonnell spoke also about people's perceptions of the gradings. Of course, perceptions play a big part in how you feel about where you are. While it is not a major component of assessment for gradings, it is taken into account. It is obvious that Nhulunbuy has a much nicer atmosphere than Kintore to many people. I am not denigrating Kintore. For people who call that their country, Kintore is undoubtedly an attractive place. However, it would not suit me to live there. Not only do I not like the dry climate of the Centre, but Kintore is not my idea of a place where I would like to live. However, many people would see it differently. There will be perceptions but we cannot take perceptions as a major part of how we apply gradings across the board. That has to be done on a more scientific basis and, because of that, the gradings will not necessarily be seen as appropriate by all people.

Somewhat beyond the scope of the debate, the member for MacDonnell went on to talk about the federal Coalition policy on unemployment and what would happen after 9 months. As I pointed out to the member for Arafura yesterday, if one bothers to read the policy in full and not just the highlights, one sees that, where there is no work available, the unemployment benefit will be available. It is designed only to get those who have no reason to be out of work back into the work force. There is room for that even in Aboriginal communities. There is employment going begging in some communities that I am aware of, but people do not want to take the jobs on. Obviously, more pressure ought to be brought to bear on people to take jobs that are available. The people of Elcho Island have indicated their very strong support for the Coalition's policy in this regard. They do not like the dole. In fact, they want to work. The people in that community have come out very strongly in support of the Coalition's policy in this regard. If we can create employment, we will do so. The

Northern Territory government, with support from the Commonwealth, is going a long way towards picking up the needs for employment and training in Aboriginal communities. However, there is a long way to go and there has to be a commitment from Aboriginal people before any scheme will work.

The member for MacDonnell went on to talk about indigenous local people and asked whether the benefits might be applied to them in some way. Obviously, if they are not working for the public service, this scheme will not pick them up. I will come to the member for Arafura's question a little later. This relates back to the Kintore example that I gave a while ago. Kintore is an attractive place to people who come from that country. There is no need to set up a special scheme to keep them there because they are happy to live in that community. This is designed to get people to go into a community to do a job that needs to be done until somebody who lives in that community is in a position to take on that job. It is a different matter altogether and is not really worthy of a great deal more comment.

I have referred to the knocking of the very tired Leader of the Opposition. He will need next week to catch up on a bit of sleep. I am sure that he will not be able to put much time into campaigning for Warren Snowdon. He is a very tired man and I am afraid that his tiredness is wearing off on other members opposite. He said that it is incredible that we have not discussed this matter with public sector unions. The Minister for Health and Community Services pointed out quite rightly that the unions have not been knocking down our door and asking for this. The government made a decision that it was necessary to find a way to attract more people to the remote communities. We know what we can afford and we have worked it out to suit ourselves. We did not want a wish list from the unions because we could not afford to pay for one. We have done the maximum that we could do with the dollars available to us.

Does the Leader of the Opposition like the scheme or doesn't he? He did not say that it is good. He did not say that it is possible. He said that we did not talk to him, or rather to the unions. Well, the unions and the ALP are one and the same in my view.

A member: Not all the unions.

Mr McCARTHY: Perhaps you are right. There are a few unions which do not agree with the ALP's policies, nor do they agree with the TLC which is the group which, no doubt, the Leader of the Opposition would have liked me to talk to.

He went on to talk about how long it would take to obtain a semester of study leave if you lived in Nhulunbuy. That is true. It would take 20 years to get a half a year if you stayed at Nhulunbuy. However, Nhulunbuy is not as remote as Kintore where it would take only 4 years to accrue a semester of study leave. Why would one expect to get it as quickly as that in Nhulunbuy? We need to have some rationality in this. Perhaps this might serve as an incentive for people from Nhulunbuy to go to a more remote community - not that we want to lose them from Nhulunbuy.

The member for Arafura said that these benefits are long overdue. They are not provided anywhere else to this extent. When the Commonwealth had control of the Territory, it did not provide these sorts of benefits to this extent. We have done what we needed to do in a way we can afford to assist people who have to work in the remote areas.

I can confirm for the member for Arafura that Aboriginal employees working for the government in remote communities will receive the same benefits that anybody else receives if they are entitled to them. If, for instance, they had their own furniture in a government house and were paying an insurance premium on that and it was more than they would pay in the nearest centre, they would receive that. If they were living in government accommodation and were having to pay rent, they would receive the same benefit that anybody else would receive. They are covered.

In respect of consultation, I do not know whether the honourable member was referring to whether I had consulted with communities about this package. I do not think that there was any necessity for me to do so. We are talking about our employees and we are talking about a means of keeping them in the communities for as long as those local communities require them. If he is referring to consultation generally, I agree with the Chief Minister that the Northern Territory government consults with Aboriginal people more effectively than does any other government. We do not talk to a few people and say that we have talked to everybody. As the member for Arafura will well know, because he was involved in consultation with this government over the community government scheme on Bathurst Island, that consultation was broad and long-lived. As a result, we obtained a very good scheme. We do that constantly. To say that we do not is simply ludicrous.

Telephones are a Telecom responsibility. The Territory government is taking Telecom to court to make it abide by its own policy of providing phones. The Department of Industries and Development is doing that.

Mr Speaker, the member for Nhulunbuy wants me to ask the PSC to review the rating that we worked on here, to improve the position of Nhulunbuy. Nhulunbuy is a community that is remote. It is cut off. But when it is assessed in terms of all of the other checks and balances such as resident health services, sports and recreation facilities and entertainment facilities, it is in a far better situation than many other towns of its size. It has radio reception, availability of repair services, postal services, confidential telephones, local inflation, banking facilities, police presence, community structure, social accord, air services and environmental factors. It is so far above Galiwinku that no one could say that it ought to be on the same level necessarily.

I think that the member for Nhulunbuy dug himself into a big black hole in relation to Yulara, Jabiru, and Tennant Creek because he seemed to be suggesting that they were at the bottom of the list and, therefore, entitled to far more than anybody else. Might I tell the member for Nhulunbuy that he was way off beam, because they are not even on the list of remote categories. They are in a special category. If he had read the statement, he would have picked that up. They are in a special category that does not receive any of the other remote area benefits. They do receive the general benefits that we announced last year for all public servants, but they do not receive any other remote area benefits except a 25% rental subsidy. That is the only benefit available to them. If they appeared on the list, it would be at the top, but they are not included. They are in a separate category we have created over and above the 5 categories evaluated on those criteria and, because of their particular difficulties, they have been given a 25% rent relief subsidy. I believe the honourable member dug a big black hole and fell into it.

It is quite true that Nhulunbuy is not the same as Daly Waters and Elliott. It was not expected to be nor should it be. It has been assessed against those criteria. Sure, its road access is cut off at times, but it

has all those other facilities. For a start, consider the environment. The environment of Nhulunbuy is so much better than that of Elliott that it is not funny. Also, Nhulunbuy has access to many facilities which other communities do not have, and I refer to the Dobis/Libis Scheme through the library which affords people contact with libraries around the world. People in Nhulunbuy can get all the help they need for study. They have a TAFE Open College outlet and they have plenty of opportunity for professional interaction which is not available in Elliott and Mataranka. Size does not have a great deal to do with it. Nhulunbuy is a very beautiful place and isolation does involve all of those factors that I have mentioned.

I do thank honourable members for their comments. I believe that this scheme will work extremely well. I did not speak about the remarks made by the member for Barkly but I can assure him that the scheme will be reviewed and that we will be assessing its results over a 12-month period and seeing how many people have been retained.

Motion agreed to.

DISCHARGE OF BILL FROM NOTICE PAPER

Mr SMITH (Opposition Leader): Mr Speaker, yesterday evening, I introduced the Financial Institutions Duty Amendment Bill (Serial 269). It has been brought to my attention that, pursuant to standing order 231, only ministers may introduce a bill which alleviates taxation. Under these circumstances, Mr Speaker, I seek leave for the discharge from the Notice Paper of General Business Order of the Day No 2 relating to the bill and urge the government to take up the bill in its own right.

Leave granted.

TABLED PAPER
Northern Territory Tourist Commission
Holiday Planner 1990-91

Mr VALE (Tourism)(by leave): Mr Speaker, I table a copy of a publication produced by the Northern Territory Tourist Commission, the Holiday Planner for 1990-91.

For the information of honourable members, this document is produced annually at a total cost of around $255 000 and, of that, normally some $100 000 is picked up by tourist operators in advertising fees. This year, because of the impact the pilots' dispute has had on the tourist industry, the Northern Territory Tourist Commission waived that cost, and all operators who were previously listed or who are members of regional associations received free listing.

Mr Speaker, for the publication of this document, I pay tribute to the former Chairman of the Northern Territory Tourist Commission, Eric Poole, who put it together in his days as chairman of that body. Basically, it is designed to enable the smaller operators to get into the marketplace at both a national and an international level. More than 200 000 copies of this document have been produced this year and they are circulated all around the world as well as interstate. Honourable members will receive a copy and I hope they will find it of interest. It is probably one of the best publications that the Northern Territory Tourist Commission produces. It is very well presented and the photographs that have been reproduced in this

document are excellent. The document is tabled for the information of honourable members.

STATEMENT
Legislative Assembly - Interim Accommodation

Mr SPEAKER: Honourable members, as this first period of sittings in the parliament's interim accommodation moves towards its conclusion, I think honourable members will agree with me that the arrangements that have been made for the Chamber, public gallery and press gallery, as well as the committees' and members' office accommodation have worked exceptionally well. Obviously, during the first week, a number of small problems were drawn to my attention and these were rectified quickly. I believe that, whilst the accommodation is temporary, it will serve us well for the next 3 years. Honourable members, on your behalf, I would like to thank the Clerk and his staff and, in particular, Mr Petrides, Mr Gadd and Mrs Allmich, together with the attendants, who have worked so hard to ensure that the move was made as smoothly as possible. In addition, I would like to thank the staff of the Department of Transport and Works, the building contractors and the removalists for all the assistance which they gave over the Christmas recess.

Members: Hear, hear!

Mr LEO (Nhulunbuy): Mr Speaker, of course all of this is part of the work of the New Parliament House Committee. As a member of that New Parliament House Committee, Mr Speaker, you would be aware of the great assistance that has been given to that committee by the staff of this Assembly. I do not think that that should go unnoted and I am sure that, when the parliament moves eventually into the new Parliament House, the staff of this Assembly will, in no small way, be recognised for the efforts they have contributed towards the realisation of that building. This is transitional accommodation but I do not think that their commitment to the service of this Assembly should ever go unrecognised.

ENERGY PIPELINES AMENDMENT BILL
(Serial 271)

Bill presented and read a first time.

Mr COULTER (Mines and Energy): Mr Speaker, I move that the bill be now read a second time.

This bill addresses one major policy objective and certain minor deficiencies in the act. That policy objective is to bring within the ambit of the act those pipelines constructed and in operation before the commencement of the Energy Pipelines Act on 11 August 1982. The Energy Pipelines Act was formulated initially to provide a suitable framework for the orderly development of our hydrocarbon resources, particularly, at the time, the construction and subsequent operation of the Amadeus to Darwin gas pipeline, the Palm Valley/Alice Springs gas pipeline and the Mereenie/Alice Springs liquids pipeline. Initially, the act was confined to conveying naturally occurring energy-producing hydrocarbons. As a result, the act did not extend to those pipelines constructed in an operation prior to that time, due mainly to the fact that these pipelines conveyed refined hydrocarbons.

Through subsequent amendment to the act in 1989, the definition of 'energy-producing' hydrocarbons was amended to include 'refined'

hydrocarbons. The new definition extended the scope of the act to include those pre-existing pipelines. However, no clear provision for their licensing is provided for. We believe now that, for reasons of safety, consistency of regulation and public accountability, there is a need that these pipelines be licensed under the Energy Pipelines Act.

The proposed amendments provide for the phasing in of the licence with respect to each of these pipelines over a period of 6 months, or a longer period as the minister may approve, and waive the licence fee payable in the first year of the term of the licence granted under this provision. It is felt that this gradual introduction will also ease the burden of those responsible for pipelines which were not covered previously by the Energy Pipelines Act.

The other substantive amendment contained in the bill is to insert a new section 63A in the act providing for the indemnity of inspectors, and those persons assisting inspectors, in bona fide pursuance of their duties under the act. This is a standard indemnity provision, often used in relation to inspectorial positions, such as is provided in the Petroleum Act, and it is considered appropriate that it be included in the Energy Pipelines Act.

Mr Speaker, the remaining 2 amendments are minor. The first rectifies an incorrect section reference in section 15(1), and the second clarifies the definition of 'pipeline' in the act.

Mr Speaker, I commend the bill to honourable members.

Debate adjourned.

SUSPENSION OF STANDING ORDERS

Mr HATTON (Health and Community Services): Mr Speaker, I move that so much of standing orders be suspended as would prevent the Trade Measurement Bill (Serial 262) and the Trade Measurement Administration Bill (Serial 263) - (a) being presented and read a first time together, and one motion being put in regard to, respectively, the second readings, the committee report stage, and the third readings of the bills together; and (b) the consideration of the bills separately in the committee of the whole.

Motion agreed to.

TRADE MEASUREMENT BILL
(Serial 262)
TRADE MEASUREMENT ADMINISTRATION BILL
(Serial 263)

Bills presented and read a first time.

Mr HATTON (Health and Community Services): Mr Speaker, I move that the bills be now read a second time.

The Trade Measurement Bill mirrors the model uniform Trade Measurement Bill developed nationally and provides for a scheme of uniform trade measurement legislation throughout Australia, while the Trade Measurement Administration Bill makes provision in respect of the Administration and Trade Measurement Act and related purposes.

The purpose of the Trade Measurement Bill is to update a significant body of law, previously known as weights and measures, regulating commerce

in the Northern Territory and to move towards uniformity in trade measurement legislation across Australia. Uniform legislation governing trade measurement is a fundamental prerequisite for effective trade between states and territories and international commerce. This is particularly so as technological change and improvements in transport links since federation in 1901 have transformed distinct state and territory markets into a single national market.

Differences in state and territory weights and measurement requirements unnecessarily impede business by creating additional costs and red tape. The bills have been drafted and are proposed for introduction as a result of the recommendations of the working group which conducted a review of consumer affairs policy and legislation in the Northern Territory. In its report, the working group calls for the overhaul of the existing legislative base of consumer affairs and its replacement by new and amended provisions, including the repeal of the present weights and measures legislation and introduction of the uniform trade measurement provisions.

While it was intended that the model uniform trade measurement provisions would form part of the proposed consolidated Consumer Affairs Bill replacing the existing weights and measures legislation, this is no longer possible. In the interest of maintaining uniformity, the government has decided to introduce separate legislation as has been done interstate. Accordingly, separate legislation has been drafted, the Trade Measurement Bill and the Trade Measurement Administration Bill. The model uniform legislation is to be introduced nationally in all states and territories, replacing the present 8 different sets of requirements in Australia. To ensure its provisions are applied and maintained uniformly, all jurisdictions will be called upon to sign an intergovernmental agreement guaranteeing its uniform adoption and application. The uniform legislation will be amended only with the consent of all parties. In the past, insufficient emphasis has been placed on updating requirements for ensuring the maintenance of uniformity across Australia.

The model uniform Trade Measurement Bill has been developed over the past 5 years by a joint working party of Commonwealth, state and territory representatives, under the auspices of the National Standards Commission. Development of the model legislation has been the subject of regular industry consultation at the national level. The current legislation governs weighing and measuring for trade purposes and includes the use of weighing and measuring instruments, the sale of goods by physical quantity and the marking of pre-packed articles. The legislation is enforced by inspectors of weights and measures who carry out regular visits to premises to test equipment, check packaging and investigate complaints. Regular inspection of premises and verification of measuring equipment ensures fair trading in the marketplace in respect of accuracy of instruments and the manner in which they are used. This promotes the confidence of consumers in matters over which they have no control.

For some time, the government has recognised its need to replace the existing Weights and Measures Act and the Weights and Measures Packaged Goods Act and has eagerly awaited the finalisation of the model uniform legislation. Of particular concern to the government are the demands placed on staffing and resources in complying with the present legislation, resulting from having to maintain a rigid cyclical inspection system, the periodic testing of equipment and the inconsistencies in the provisions of the 2 acts which make parallel enforcement difficult. The inflexibility of the cyclical inspection system is not a problem confined to the Territory,

as similar difficulties have been identified by interstate jurisdictions in administering their respective legislation effectively.

In developing new national uniform legislation, it is accepted that the term 'weights and measures' be replaced by the term 'trade measurement' to reflect more accurately current responsibilities and duties. The uniform bill continues the necessary and desirable requirements in similar terms while introducing new and more appropriate features.

Apart from the commitment to the uniform adoption and application of the model uniform bill's provisions by all state and territory administering authorities, the bill varies from the current legislation in several ways. It provides for a variable inspection system rather than the present rigid cyclical system of periodic testing of equipment, the licensing of service or repair organisations to certify instruments as accurate until an inspector can verify the instruments, the licensing of public weighbridges, and substantially increased penalties.

The introduction of a variable inspection system and the use of licence repair businesses as certifying agents will provide for greater managerial flexibility in programming inspections and will reduce the pressure on staff and departmental resources without neglecting essential requirements. The change will allow for greater attention to be concentrated on problem areas and areas of growth. In particular, it will allow the extension of existing services to provide for development of Northern Territory resources in respect of oil, gas and mining. This will be achieved whilst continuing to maintain the legal obligations under the provisions of the uniform legislation.

The Standing Committee of Consumer Affairs Ministers, known as SCOCAM, will oversee the introduction and maintenance of the national uniform legislation. It will be assisted in the process by the consultative committee of the Standing Committee of Trade Measuring which will report to SCOCAM. The consultative committee will provide a forum for industry and consumer consultation.

Along with the uniform legislation, uniform regulations have been developed covering pre-packaged articles, measuring instruments, weighbridges and miscellaneous matters. The model uniform bill presents a major step towards rationalisation of requirements and regulations for industry, especially for those businesses operating nationally. In the future, business will have to deal only with 1 uniform act and set of uniform regulations Australia-wide.

I will deal briefly with the main provisions of the Trade Measurement Bill. Part I deals with definitional matters, including what is meant by use of a measuring instrument 'for trade'. A person uses a measuring instrument for trade if the person uses it, has it in possession for use or makes it available for use to determine the consideration in respect of a transaction or the amount payable as a tax, rate, toll, duty, charge or other impost, not including a penalty. The bill does not cover certain instruments which are regulated by other government authorities, such as instruments which measure electricity, gas, water, telephone usage, taxi fares, etc.

Part II of the bill deals with the use of measuring instruments for trade. It prohibits the use of a measuring instrument for trade unless it bears an inspector's or licensee's mark. Under the Weights and Measures Act, instruments should be stamped only by an inspector. The bill creates

the offences of using for trade an instrument that is incorrect or unjust or in a manner that is unjust, or causing a measuring instrument that is in use for trade to give an incorrect reading.

Part III deals with the verification, reverification and certification of measuring instruments. Under the current legislation, weights and measures inspectors are responsible for checking the accuracy of all trade measurement instruments. The checking occurs before an instrument can be put into use for trade, which is verification, and periodically during its use, which is reverification. Under the Trade Measurement Bill, instrument-servicing and repair companies may be licensed to certify the accuracy of measuring instruments. No instrument may be used for trade unless it has been certified, verified or reverified and stamped with a licensee's or inspector's mark.

The requirements for certification and verification are the same and are stricter than those for reverification. The instrument must operate within the appropriate limits of error which may be tolerated under the National Measurement Act, be of an approved pattern, and meet the requirements of the national act for metric graduations. The bill provides that the administering authority shall make arrangements for the periodic reverification of instruments. Currently, instruments are required to be reverified every 12 months, or every 6 months in the case of driveway flow meters - that is, petrol pumps - or price-computing electronic weighing machines. The Trade Measurement Bill permits random inspection rather than the rigid cyclical inspections of instruments imposed by the present legislation. This will allow trade measurement inspectors to target resources in the areas of greatest need and to concentrate resources on the most unreliable classes of instruments.

Part IV of the bill provides for fair dealing and trade transactions by both consumers and traders. When an article is sold at a price determined by reference to measurement, the measurement must be made in the consumer's presence or the consumer must be given a written statement of the measurement. The consumer can demand that the measurement be made in his or her presence if the delivery takes place at the time and place of measurement. Pre-packed articles are not affected. Special provisions apply to the sale of meat. When meat is exposed for sale at the marked price for a given quantity, its mass and price per kilogram must be marked on it.

Part V of the bill deals with pre-packed articles. These must comply with the requirements of the regulations and may prescribe quantities in which articles may be packed. The bill establishes what markings are required and what markings are permissible. Required markings include the name and business address of the packer, the measurement of the article and the price of the article. The regulations will prescribe restrictions on the use of prohibited expressions, and the bill makes it an offence to use them. The bill defines offences for packing or selling short measure, but allows the administering authority to authorise the sale of pre-packed articles by permit where minor marking errors occur and the sale would otherwise constitute an offence. These provisions are similar to those in the current act, which also deals with permits, package markings and short measure. The provisions of the bill have been updated and streamlined. Both the Trade Measurement Bill and the current act declare it a defence to selling short measure if the seller's supplier guaranteed that the package was not inaccurately marked.

Part VI of the bill relates to licensing. A person who certifies a measuring instrument is required to hold a servicing licence or to be the employee of a licensee. Individual service personnel will not be licensed, but the licensing authority will be able to exclude dishonest or incompetent personnel from the industry by issuing an order that they may not be employed to certify instruments. The new licence will enable the industry to operate more efficiently. At present, repair companies naturally check instruments they are servicing, both before and after working on them, but an instrument cannot be used again for trade until an inspector of weights and measures has called and stamped it. Under the proposed act, the personnel of a licensed service repair business will be able to certify the instrument as accurate. Inspectors will make random checks to ensure the accuracy of the work done by service companies, but the new system will free inspectors to devote more time and resources to reverification of complex and unreliable classes of instruments or to concentrate on new areas of growth.

The bill also requires that a person who makes a weighbridge available for use as a public weighbridge is the holder of or an employee of a holder of a public weighbridge licence. The bill proposes that weighbridge licences will be granted only to principals who will be responsible for ensuring that they employ competent employees. The bill makes provision for disciplinary action to be taken against licensees in certain circumstances, and outlines an appeal procedure.

Part VII sets out the powers of inspectors in relation to search, entry, inspection and seizure of goods. The powers are almost identical to those under the current act. The new provisions specify more precisely an inspector's power to stop and question individuals, and require that answers must be given to inspectors even if they will be incriminating, and that such answers are admissible in court in specific circumstances.

Part VIII of the bill is concerned with miscellaneous matters. Penalties have been increased substantially and will apply uniformly. It increases by 5 times the maximum penalty for any offence committed by a body corporate and makes a director of a body corporate guilty of the same offence committed by the body corporate if the director knowingly authorised or permitted the offence.

I turn now to the Trade Measurement Administration Bill. This is not required to be uniform with legislation in the states. It provides for the administration of the Trade Measurement Bill in the Northern Territory, including the fee structure for certification, verification and reverification of measuring instruments. The Superintendent of Trade Measurement is to be the administering authority in the Northern Territory and the Commissioner of Consumer Affairs is to be the licensing authority. The Local Court will deal with appeals in relation to disciplinary proceedings against licensees.

The bill repeals the Weights and Measures Act and the Weights and Measures (Packaged Goods) Act and associated regulations. Unfortunately, under the present arrangements, insufficient emphasis is placed on uniformity in what is possibly the oldest and most fundamental activity in protecting and maintaining the interests of consumers and traders in promoting a fair marketplace. Clearly, the concept of fair weight is central to the principles of fair trading today, as it was in biblical times. Leviticus chapter 19 verses 35 and 36 states: 'Do not use dishonest standards when measuring length, weight or quantity. Use honest scales and honest weights'.

The government will continue to give high priority to ensuring compliance with these requirements in line with community expectations. It fully endorses the substantially increased uniform penalties for those who would seek to undermine the confidence of the market by cheating or sharp practices to the detriment of all buyers and sellers. Penalties have always been central to compliance in maintaining weights and measures down through the ages, with often colourful penalties devised, such as the edict of Louis XI of France issued in 1481:

> Anyone who sells butter containing stones or other things to add to the weight will be put in our pillory, then said butter will be place on his head until entirely melted by the sun. Dogs may lick him and people offend him with whatever defamatory epithets they please without offence to God or King.

The proposed new trade measurement legislation is in accordance with the government's aim to streamline its regulatory role, reduce red tape and utilise private sector resources wherever possible while, at the same time, retaining adequate levels of protection against unfair dealing. We will provide a legislative framework governing trade measurement that is appropriate for an economy moving towards the 21st century and the need to replace or update requirements developed in a different era. The simplified legislative provisions and straightforward administrative procedures, not to mention the commitment to uniformity that acknowledges the national character of the Australian marketplace, will enhance protection by making it easier for industry and consumers to understand their rights and obligations in maintaining a fair marketplace.

Mr Speaker, I commend the bills to honourable members.

Debate adjourned.

SPECIAL ADJOURNMENT

Mr COULTER (Leader of Government Business): Mr Speaker, I move that the Assembly, at its rising, adjourn until Tuesday, 1 May 1990 at 10 am or such other time and or date set by Mr Speaker pursuant to sessional order.

Motion agreed to.

DISCHARGE OF ITEMS FROM NOTICE PAPER

Mr COULTER (Leader of Government Business): Mr Speaker, I move that the following orders of the day, Government Business, be discharged from the Notice Paper: No 18 relating to a ministerial statement on the fishing industry; No 20 relating to a ministerial statement on the effect on the tourist industry of the pilot's dispute; No 21 relating to a ministerial statement on the outlook for the Territory for the 90s; No 28 relating to a ministerial statement on the Planning Act review; No 29 relating to a ministerial statement on the Commonwealth state housing arrangements; No 30 relating to the Companies and Securities Legislation Bill (Serial 212); and No 32 relating to a ministerial statement on the Report of the National Committee on Violence.

Motion agreed to.

RACING AND BETTING AMENDMENT BILL
(Serial 274)

Bill presented and read a first time.

Mr FINCH (Racing and Gaming): Mr Speaker, I move that the bill be now read a second time.

The purpose of this bill is to establish an independent racing appeal tribunal to which persons aggrieved by a decision of a race day steward or racing club committee may appeal. In recent years, independent appeal tribunals in one form or another have been introduced into the racing industry throughout Australia. They have been well received by industry participants and have now become an accepted part of the racing industry.

This bill will bring the Territory racing industry into line with those in other states. An independent appeals tribunal has operated successfully in Territory greyhound racing since 1981. However, no such body exists in Territory horse racing. Under existing rules of racing, an owner, trainer, jockey or other licensed person, who is penalised by a decision of a steward or club committee, may appeal against that decision only to the club committee. It may be noted that stewards are paid employees of the race clubs and therefore the only avenue of appeal is to their employers.

With the use of the club committee as an appeal body, the problem of personal involvement is very real. The racing community in the Territory is relatively small and race club appeal committees have been vulnerable to allegations of bias. This bill will rectify this situation by not only ensuring that justice is done, but that it is seen to be done. An independent appeal tribunal will enhance the image of racing in the Territory and will provide the public with additional comfort about the integrity of the industry.

The bill allows for the establishment of a 3-person tribunal with a judge, magistrate or a legal practitioner as its chairman. The other members will be appointed from a panel of reputable persons with a sound knowledge of the racing code involved. The burden on the tribunal would be unduly onerous if it were to hear all appeals. Therefore, the bill prescribes that only appeals of substance - that is, where a penalty exceeds 3 months suspension or a $1000 fine or, in the case of dual penalty, 1 month and $500 fine - shall be heard by the tribunal. Minor appeals will still be heard at club level. The operating costs of the tribunal will be met by funds generated by the racing industry through the allocations from the Industry Assistance Fund.

In conclusion, I believe this bill will be welcomed by all participants in the Northern Territory racing industry as it provides an appeal mechanism more appropriate to the current popular concept of natural justice. I commend the bill to honourable members.

Debate adjourned.

LEGAL PRACTITIONERS AMENDMENT BILL
(Serial 279)

Bill presented and read a first time.

Mr FINCH (Transport and Works): Mr Speaker, at the request and on behalf of the Attorney-General, I move that the bill be now read a second time.

This is a simple amendment to the Legal Practitioners Act to deal with a problem relating to the administration of practitioners arising out of comments from the court on 23 February. Following that hearing, the honourable minister received representation from the Law Society relating to the court's comments requesting that he consider an amendment.

Basically, given the court's comment, the problem arises in that it would seem that no person would be able to enter into articles of clerkship until their degree in law had been conferred upon them. The difficulty with that is that, in many instances, a person becomes eligible for the degree at the end of the academic year upon satisfactory completion of the degree subjects but does not actually have the degree conferred until mid-year. If persons were required to wait until their degrees were actually conferred, as opposed to when they became eligible for admission to the degree, it would mean a subsequent delay in admission as a legal practitioner of up to 6 months. Clearly, that was never the legislature's intention and we should move to correct the problem which has now arisen.

The effect of this bill is to provide that the effective date of articles of clerkship is the date on which they were signed. That in itself seems to be something quite apparent. However, the new provision must be read with existing subsections 11(4) and (6). The end result will be that a person will be able to enter into articles of clerkship upon becoming eligible for admission to the degree of Bachelor of Laws. Mr Speaker, I commend the bill.

Debate adjourned.

MOTION

Noting Ministerial Statement on Roads and Road Funding

Continued from 22 November 1989.

Motion agreed to.

ADJOURNMENT

Mr VALE (Tourism): Mr Speaker, I move that the Assembly do now adjourn.

This morning, I had the pleasure of launching the Northern Territory section of the national campaign 'Say No to Drugs' which is being run in combination with the Australian Institute of Sport and is being part-funded by state, territory and federal governments. Over 107 young sportsmen and sportswomen were at the Marrara Stadium today, as well as a number of leading coaches and athletes, including Kerry Saxby, Commonwealth gold medallist and world champion walker who, of course, is now the Sportsperson of the Year. A very colourful Northern Territory T-shirt has been produced for people taking part in the program, and I have one here.

The emphasis is on performance-enhancing drugs and encouraging young people not to become involved with them. There is a great deal of encouragement to ensure that our young athletes at any level do not get involved in drugs. As I said in the House a couple of days ago, any individual or team that becomes involved with performance-enhancing drugs will not receive Northern Territory funding. I believe that we are using

athletes such as Kerry Saxby and coaches from the Australian Institute of Sport to get the message through successfully. Young athletes will look up to such people.

Mr Speaker, I take a great deal of exception to the absurd and inaccurate statement made last night or this morning by the member for Stuart and Deputy Leader of the Opposition. The remarks he made about marijuana do not set any sort of an example for young men and women across the Northern Territory or, indeed, anywhere in Australia. On a personal level, I take exception to being smeared by the member for Stuart who said, I think, that most members of the Assembly have used marijuana. Mr Speaker, I have to plead ignorance. I do not even know what marijuana looks like. Somebody said that it looks like a spinach plant. I have never touched marijuana and I object most strongly to the absurd, inaccurate and dishonest statement made by the member for Stuart.

Mr Smith: There should be a few lie detector tests around here, I think.

Mr VALE: I do not mind taking a lie detector test, in answer to the Leader of the Opposition. If he thinks this is so damned funny, he has another think coming. I take great offence at what was said this morning and the member for Stuart and, indeed, the Leader of the Opposition should apologise to the Territory public and members of the parliament, who have been insulted by that stupid statement.

To return to the main subject of my speech, notwithstanding the damage done by the member for Stuart, I am certain that the campaign being run in the Territory with the assistance of Kerry Saxby and the Australian Institute of Sport will be a great success. I pay tribute to the Australian athletes and, indeed, all those other people around Australia who have given up so much of their time to travel into the backblocks of the nation to talk to young men and women and to run coaching clinics. I think that the program will be a great success and, again, I pay tribute to those involved.

Mr SMITH (Opposition Leader): Mr Speaker, I rise tonight in the Assembly to pay tribute to Fanny May who, as members may be aware, died on 2 February this year. Close to 1000 people attended her funeral, which was held on 9 February. Obviously, she was a local identity who was liked and respected by all who knew her.

Fanny May was born in Darwin on 20 October 1933. As a young child, she lived with her family in Frog Hollow until she was 4 years old. At that stage, her mother, Ethel Cooper, died at the youthful age of 21, leaving 4 young children: Fanny, Ruth, William and Ada. The children went to Kahlin Compound, which was part of the first Aboriginal reserve established under the Aboriginal Protection Act. Fanny's sister Ada still remembers this time well because everywhere they walked, her older sister Fanny would hold her hand. When they were quite young, during Wednesday outings to the movies, the children were introduced to the characters of Hopalong Cassidy and Roy Rogers, who became important to their imaginary games.

Following their father's remarriage, the children returned to Frog Hollow, and to a much bigger family which now included 11 children until, as a result of the government policy of the day, Fanny was separated from her brothers and sisters who were sent to Garden Point. Fanny then spent her time between the homes of various aunts, earning her keep by baby-sitting her cousins as well as cooking, cleaning and ironing. During the war, along with many others, she was evacuated to Adelaide. A few years

after the children returned to Darwin, she married George May, at the age of 17.

Mr Speaker, children were the focus of Fanny's adult life too. She and George had 8 children of their own and took care of her brother's 7 children when he died. Eventually, the family numbered 17. They lived first in Stuart Park and later in Rapid Creek, somehow managing in a 3-bedroom house. As is often the case with large families, Fanny's children remember their childhood fondly and have plenty of stories to tell. Fanny never held a driver's licence and the children remember walking miles whenever there was a need to get from one place to another, sometimes collecting mangoes along the way.

When listening to people speak about Fanny, it is tempting to think that her life was all work with little enjoyment. To those who were part of it, it was simply an example of how a close and loving family as well as community involvement can make the effort worthwhile.

It seems that Fanny really loved to iron. Her family swears to the truth of stories that, when she visited her adult children's homes, she often looked for things that needed to be ironed. She was clearly one of those people who could never keep still. Cooking was her favourite pastime and any opportunity for a family celebration, be it a birthday, wedding or christening, would see her baking. She was known for her scones and a very good damper, but famous for her wonderful chutney made with prawns, onions, garlic, ginger and chilli. So well known was she for this that she went from making it as a hobby to selling it to those in the know. Her sons were also taught to cook, sew, iron and make beds although I am advised that, on occasions, they forgot.

Fanny enjoyed a game of bingo, and ironed for friends to earn extra money so that she could play. Her 17 grandchildren were very important to her. Another is due in 6 weeks, and 1 or 2 were always over to stay. They must have enjoyed her company for typical of her approach to them was her last birthday, when she created much fun blowing out just 1 candle on the cake they bought for her. Camping and fishing were among the activities she enjoyed although she did not like the water much. An attempt to interest her in fishing saw hooks and lines tangled in the trees behind her as well as the mangroves in front.

Cyclone Tracy brought devastation to the May home as well it did to many others and, soon afterwards, the Mays left for Perth. When they returned, they lived in a shell of a house. They lived out of boxes and, for quite some time, coped with a deluge of water passing through the house whenever it rained. Washing and ironing took up a great deal of time, with lines to hold sheets for 12 children strung across the yard.

After her husband died a couple of years ago and the children were grown, Fanny had some time to enjoy herself. Visits to hairdressers and shopping trips for clothes were important to her and sometimes she went dancing with her sons. Modern technology did not interest her much and, despite having a telephone connected some years ago, she persisted for a long time in sending written messages to family and friends.

A story which her children like to tell concerns an occasion when Fanny was minding several of her grandchildren and tried to deal with a serious fire threat to the home. The tank was empty. Fanny had forgotten to turn on the pressure pump. This had been the bane of her existence for some time and she had once turned off the valve instead of the switch and thought she

had blown up the pump. Volunteer fire fighters had to come in to deal with the fire.

Mr Speaker, one of the recollections which Fanny's children have shows something of the sorrow and spirit which were so much a part of her life. She was diagnosed as having diabetes and, soon afterwards, she lost one of her little toes as a result of the condition. Apparently, she was less distressed than were her children, who were still quite young. In an effort to help them cope, she arranged a proper funeral ceremony for the toe, placing it on a bed of cottonwool in a matchbox for the burial. Her children tell that story with some relish.

Mr Speaker, so much of Fanny's life was devoted to caring for others, particularly children, whether they were her own or other people's, that it was not surprising that tears touched the eyes of so many at her funeral a few weeks ago. Fanny May was a remarkable woman and those fortunate enough to know her had their lives enriched by that experience. I am honoured to acknowledge her in this House and I know that I speak for all honourable members when I say that Darwin will miss her.

Mr FINCH (Transport and Works): Mr Speaker, I wish to raise a matter which is of great pride to me. It concerns the latest occurrence in the 5-year saga of the involvement of the Department of Transport and Works in promoting the need for the upgrading of the Victoria Highway. In so doing, I table a copy of a recent brochure which has been prepared by the Department of Transport and Works. I will see that copies are circulated to honourable members in due course.

The Victoria Highway was constructed some 20 years ago as a beef road with a single-lane seal. Some 440 km of road links us to Western Australia via Kununurra. Of course, that road carries a great variety of traffic, ranging from road trains carrying cattle and general goods to caravanners and other tourists. It has great importance in the economic development of the region, including both the beef industry and mining, and in addition it has defence implications.

The brochure prepared by the Department of Transport and Works proposes a dual carriageway with a bitumen seal at an estimated cost of almost $100m. Honourable members may recall that a report prepared by the department in 1985 indicated that an upgrade of that road to full national highway standard would cost a great deal - something like $300m in today's terms. In 1988, we prepared not only another booklet but a video which we circulated to the relevant federal ministers and others in an effort to gain support for the upgrading of the road. That followed a visit to the Northern Territory by the then federal Minister for Transport, Peter Duncan. In association with a road opening, we persuaded him to travel in the cab of a road train in order to experience at first-hand what it was all about. He left with an indelible impression in his mind - and possibly other places - of the high risk of travelling on the Victoria Highway. In fact, this current brochure indicates that the risk of fatal injury on the Victoria Highway is something like 5 times the national average. That is an abysmal situation for us to have to tolerate, as we have done for many years now.

Mr Speaker, I have had the experience of dealing with some 7 federal transport ministers in my short 3 years in this portfolio. Being a previous Minister for Transport and Works yourself, you would know that it is not easy to convince people from the south of Australia about the needs of the Victoria Highway. I have now had the opportunity to take 2 federal

ministers out there to show them at first-hand what condition the road is in and to gain their support in addressing the problems.

The CLP candidate for the House of Representatives, Helen Galton, issued a couple of press releases following the visit by John Sharp, the federal shadow minister for transport, indicating that she had support for funding of the Victoria Highway, together with a return to reasonable funding for Territory roads generally, if a coalition government gained office in Canberra. The present federal member of the House of Representatives, Warren Snowdon, immediately castigated Helen Galton. In a press statement, he indicated that he had received an undertaking from Road Transport Minister, Bob Brown, that the highway would be upgraded, and that the undertaking had been given before Christmas. It would be totally inappropriate for a federal minister not to have communicated that sort of advice to myself. I believe that, once again, Warren Snowdon is dreaming, as he has been in relation to the 10% increase in road funding which we were supposed to have received during this current year. It was nothing but a big fib, Mr Speaker, and I said that publicly. We got zilch.

I draw honourable members' attention to a background paper which is probably available in our own parliamentary library and is certainly available from the federal parliament in Australia. It is entitled 'Fuel Taxation and Commonwealth Road Funding in the 1980s - a 10 year History of Neglect'. When one considers that an amount of approximately $6000m is now collected nationally from the excise and that road expenditure is only 23% of that, a comparison with previous expenditure levels shows that we have suffered dramatically. Road funding has dropped by some 30% throughout Australia, and the Territory has done much worse than that. A comparison with the last years of the Fraser government shows that our share of the total pool has gone down by 30% in comparison with the states. Out of a diminished bickie bin, we have lost more than our fair share and the federal member stands condemned accordingly.

As for the Victoria Highway, what we require is $94m in today's terms, over 5 years. We have no commitment from the federal government. In fact, whilst the federal minister announced last December that he had some $200m to spend over 5 years, he has not yet committed a cent of that money to the Territory. Meanwhile, some 300 km of the Victoria Highway remains single seal. As far as I am concerned, nothing is fixed until it is in writing. I have nothing at all in writing from the federal minister. Nor, I might add, have I had anything verbally. If he is to provide $200m to Western Australia, Queensland and the Northern Territory over 5 years, he has not indicated how much the Territory's share will be, nor has he indicated whether it will come out of current funding. In fact, the Prime Minister's announcement yesterday would seem to indicate that it is to come out of current funds, diminished as they are.

Territory highway funding has declined by 44% in the last 5 federal budgets. Our previous level of highway funding has been almost halved under this Labor government. How can we expect to see anything when all Warren Snowdon did for us last year was to lose $4m? We did not get our 3% of the $120m which the rest of Australia shared. In fact, we had a $0.5m cut. So, last year, we lost $4m in all.

I will talk about the Prime Minister's announcement of yesterday, and I draw your attention, Mr Speaker, and that of honourable members to the many lies contained therein, and they commence from the very beginning. The statement says that the Labor government has completed a national highway link around Australia, 16 000 km to all-weather status. Mr Speaker, we have

130 floodways and creek crossings on the Victoria Highway which are unusable in flood conditions. We have outages there ranging up to weeks at a time during the wet season. The second fib comes in the suggestion that Labor has put $9000m towards road funds in its 7 budgets. What the statement fails to say is that $3200m of that came directly out of the Liberal Party's Australian Bicentenary Road Fund which was introduced, of course, as a 2¢ per litre additional tax to the road user so that we could complete the national highway network by 1988, now long gone. We still have a fair way to go on the Stuart Highway and a fair way to go on the Barkly Highway, but we have barely touched the Victoria Highway.

The next fib tells us that that funding is 18% higher in real terms than funding was for the previous 7 years under the Coalition. That is wrong again, Mr Speaker. When the ABRD is taken into account, on average, funding is currently $215m per annum less than when the coalition parties were in power. The amount is $460m less in real terms than in 1984-85. That was the first year that Labor had full control of the road budget and full control over and the full benefit of the ABRD 2¢ per litre. When that fact is considered in the context of the additional $3400m per annum that has been collected in excise, the perspective becomes rather clearer. The $2000m that New South Wales needs for the Pacific Highway and the lousy $94m that we need for the Victoria Highway pales into insignificance compared to those figures.

The document then speaks about the proportion of the excise collected that is returned to road funding. I would suggest that honourable members obtain a copy of this paper by Dennis James, a research officer at the parliamentary library. These are black and white figures. Fred Finch has not made them up; they are there for all to read. In the last budget over which the federal coalition government had control, 65.6% of the excise collected went into road funding. Now, it is down to 23%. The following page tells us that the federal government will provide $100m extra in road funding, and the press release describes that as a real boost. However, let me put that in perspective, Mr Speaker. Due to the automatic indexing of the levy that is collected, the $5800m per year that we pay already, will be increased by the 6-monthly indexation by $350m. Of that extra $350m rip-off which the federal government will collect, it will spend a lousy $100m in additional road funding. He called it a boost; I call it a big burp and nothing more.

The Prime Minister intends to spread that amount to cover all the projects he has announced for the Territory, Victoria, South Australia, Queensland and Tasmania. Bob Brown got in for his chip and the Pacific Highway in New South Wales is mentioned. As I said, $200m per year is needed each year for the next 10 years alone to fix up the Pacific Highway. When $100m is spread around all of these places, it will not go very far. Of course, he is also going to tuck in a bit of railway upgrading, referring to the north-south rail. Of course, it is not the Alice Springs to Darwin north-south rail. It is only the east coast north-south rail.

It is an absolute nonsense to suggest for a moment that the extra funds needed can be raised through the imposition of a 30% to 50% tax on luxury cars. They are described as 'luxury' cars, but that means imported cars. Any imported car is a luxury car, and that tax is supposed to fund this. The proposition is ridiculous. Anybody who had intended to purchase an imported car will know now that he will have to pay an additional 20% for that purpose and so probably will not buy an imported car after all. Who wants to pay a 20% rip-off tax, after all? As a consequence, I bet that sales of imported cars will decline by more than the new tax is supposed to

raise. Will the Prime Minister then cut back that $100m in extra funding? The big plus in all of this, of course, is that he will not be there to take the decision and, when John Sharp is the Minister for Transport, we will be seeing a few changes. I believe John Sharp will be announcing his policy next Monday, as part of the national launch, and we will hear what real increases in road funding are and what a boost really is - not a burp.

Among the other fibs that are announced in this press release, a few relate to the 'black spot' program. The $110m has been changed to $120m by the flick of a finger and, of course, we know it is not there. Once again, that is not put into perspective. Not only is it over 3 years but, to date, agreement to it has not been obtained from any of the states, except Victoria, or from the Northern Territory. What will the federal government do? Does that mean that the deaths of so many people that have occurred on dangerous areas of road around the rest of Australia do not matter 2 raps? I say that that is bad news. The federal government will have to buckle over that all-or-nothing deal. Although, as I said, after 24 March, we will not have to worry about it.

Mr Speaker, I invite you and all honourable members to have a really good look at what has been happening with road funding. I commend the Department of Transport and Works for its persistence in this area in presenting fact, of presenting it well and for ensuring that the message gets through. There can be no doubt that the message is heard by our federal politicians. There can be no doubt that our local members, Warren Snowdon, Bob Collins and Grant Tambling, have each received copies of this document, and there is no excuse for them not to get behind this move to see that Territorians not only close off that 5-times the national average fatality strip between Katherine and Kununurra but, more importantly, that Territorians get their fair share - and only their fair share - back out of that $5800m per annum fuel tax rip-off that the motorists of Australia are forced to pay.

Mrs PADGHAM-PURICH (Koolpinyah): Mr Deputy Speaker, there are a few matters I would like to speak about this afternoon in the adjournment debate.

First, I wish to dissociate myself from the suggestions made by the member for Stuart in the general remarks he delivered to the effect that he believed that quite a few members of the Legislative Assembly had smoked marijuana. I have not done so, Mr Speaker. I have seen weeds that look like it, but I have not seen a marijuana plant. I have neither grown it nor smoked it, and I have had nothing to do with the 'yippee-bean', as he described it. I think his inaccuracy ...

Mr Poole: You don't have a bong in your cupboard either, do you?

Mrs PADGHAM-PURICH: I do not have a bong or anything like that anywhere around.

Mr Deputy Speaker, I think it was very inappropriate of the member for Stuart to make remarks like that. He may have his own personal views, as we all do on various matters, but sometimes it is better to keep your personal views to yourself and not to publicise them.

Mr Deputy Speaker, I would like to comment on some remarks made by Mr Galarrwuy Yunupingu regarding the usefulness of Mrs Helen Galton representing the CLP, if and when she is elected and goes to Canberra. I do not have any wish to be intimately associated with Mrs Helen Galton or the Country Liberal Party for obvious reasons which I have elaborated on before,

but I am compelled to repel the remarks of Mr Galarrwuy Yunupingu because, although they were directed at Mrs Helen Galton, they did have an undercurrent of generality at which I take umbrage.

Mr Galarrwuy Yunupingu's perceived view of women is a bit old-fashioned. Indeed, it appears to me to stem from the Dark Ages. I know that this is not the view held by some other Aboriginal leaders in the community, like the member for Arafura, but I make my objections as the previous member for Tiwi, when about one-third of my constituents were Aboriginal people from Bathurst and Melville Islands. I was the member for Tiwi prior to the current member for Arafura's incumbency and, in that time, I would like to believe that I made many friends amongst the Aboriginals there and did a reasonable job representing their views through several elections. Whilst the views Mr Yunupingu expressed might have been his own private views, they could have been better expressed or not expressed at all.

I come now to a very serious subject. Over a number of years, the light sentencing that has come from our courts in relation to personal assaults, and I refer particularly to sexual assaults on women by men, has been of concern to me. I would say that there is not a woman in the community, no matter what her age, upbringing, religion, or ethnic origin, who would not agree with me on this. Those honourable members who know me, know that I am not a rabid feminist who necessarily toes the feminist line on all matters because it is the thing to do. I am not and I do not. But, in this case, there is a strong undercurrent of frustration among women in the community at the lenient court sentences handed down to the perpetrators of these vile crimes.

I have been in contact with personnel who work at the Ruby-Gaea Centre. I knew that they would have strong feelings on the subject, but I was surprised at the vehemence of their feelings. I thought it was only people like myself who had vehement feelings. I will say quite openly that I have extremely old-fashioned and conservative views on law enforcement and, in certain cases, as I have previously stated, I would not be averse to bringing back the death penalty for certain crimes; not for all cases of breaking the law, but for certain isolated cases, when it has been proved beyond doubt that the wrongdoer did something heinous in the community.

Although my views may be vehement, Mr Deputy Speaker, the views of women who have been the victims of rape and sexual assault are just as vehement as mine. I do not know what those women have to do to have their voices heard. It is no good just reciting figures and incidents to demonstrate instances in which men have committed particularly noxious rapes and walked out of jail 2 or 3 years later, whilst the victims of their crimes faced a lifetime of getting over the experience. I am not exaggerating, Mr Deputy Speaker. I do not want to go into specific details. There is a time and a place for that and this is neither. However, the lives of some women - and I refer to 2 women in Alice Springs - are completely ruined when they become unable to cope with life because of incidents which happened to them through no fault of their own. I refer to 2 ghastly rapes perpetrated upon 2 law-abiding, nice women who were going about their own business and who, through no fault of their own, were raped.

The government has at its disposal better legal brains than I possess to work out something which is more equitable for the women in the community. Minimum sentencing has been spoken of before and I do not know whether this would be the time to start thinking about it. A minimum sentence of a certain number of years could be handed down for offences such as rape.

I really become very angry when the purveyors of justice in our community seem to, and in some cases actually do, cite the influence of alcohol as an extenuating factor in relation to crimes. If I ever sat in judgment on anybody, I would not consider the ingestion of alcohol by the perpetrator of a crime as an extenuating factor. People become drunk of their own free will and, if they commit crimes when they are drunk, that is too bad. They should suffer the full consequences of their actions and the effect of alcohol or any other drug should not be an extenuating factor.

In other considerations in this House, the government is voicing the views of the community in focusing more closely upon the situation of the victims of crime. It should consider that trend. It should ensure not only that there are counselling services for victims and excellent services such as those offered by the Rape Crisis Centre, but it must consider the views of the unfortunate women who must try to re-establish their lives after being the victims of these terrible assaults. I believe that one way of helping these women - and I include girls and children - would be to give them the knowledge that the perpetrators of those dastardly crimes had received their just deserts.

I know that we live in a violent age and perhaps in view of the remarks passed previously one should not subscribe to the dictum of an eye for an eye and a tooth for a tooth. However, if a mother were ever unfortunate enough to come across her daughter being assaulted, I believe that she would have no compunction at using whatever means were at her disposal to kill the person responsible for the assault. That is how strong a mother's feelings are about such matters. I have spoken to many women about this matter and, whilst there may be extenuating circumstances in many cases, I believe that the community would be considerably better off without the men who commit these crimes, because many of them walk out of jail after a few years and subsequently commit the same crimes again and again.

The Attorney-General has talked about chemical castration of sex offenders. I believe that that is only a temporary measure and does not go the full way. It would be a fitting form of justice if ways of dealing with these rapists could be left completely in the hands of women. I know that there are many women in the community, myself included, who would not be short of ideas on how to deal with rapists and if, our ideas were followed through, they would not live to repeat their crimes.

Mr Deputy Speaker, I urge the government to look at this serious situation and to consider some way of ensuring that men who sexually assault women and children in the community are dealt with as severely as they have dealt with their victims.

Mr COLLINS (Sadadeen): Mr Speaker, I would like to add my comments to those of the member for Koolpinyah. It is not only women who are very concerned about the sentences which are being handed out to people who commit the crime of rape. Plenty of men, myself included, feel very strongly about it too, and the honourable member has our support. The days of people trying to joke about rape are pretty well in the past. We find it abhorrent. We have wives, daughters and sisters. They are dear to us and we wish them to be well protected. We want the law to reflect that.

There are a number of subjects I wish to speak about tonight and I will try to be brief in relation to each. During January, a lady came into my office. She made some suggestions and asked me to put them to the government. Her suggestions concerned the first home ownership scheme, under which the government in the Territory gives a quite generous subsidy

to certain people to help them acquire homes. This lady pointed out that the subsidy is paid to the financial institution on a monthly basis.

During recent times, there has been some publicity in magazines and newspapers about the fact that, if mortgage payments are made fortnightly instead of monthly, the loan is repaid more quickly. In other words, the purchaser's ownership component increases more quickly and the payments stop earlier. The lady asked me to put the proposition that the government could pay the subsidy to the financial institution on a fortnightly basis, so that the buyer would obtain more equity more quickly. I think more and more financial institutions are accepting payments on a fortnightly basis.

I put that proposition to the Minister for Lands and Housing. I appreciate that it could result in some losses to the government through decreased interest earnings and, indeed, I pointed that out to the lady in question. The minister's response was that the step could not be taken at this time but that the scheme would be reviewed at some stage. I had intended to ask during question time when such a review might take place. It is a matter of some interest to people. Purchasing a home is becoming more and more difficult because of very high interest rates and, if it is possible for the government to assist people, even in this small way, it should be done. Therefore, I ask the Minister for Lands and Housing to consider conducting a review and to obtain information from Treasury on the cost implications of making such a change.

Mr Speaker, I too deplored the member for Stuart's statement that he had used marijuana. I believe that he might well have kept the matter to himself instead of coming out in the way that he did. I was absolutely appalled when reference was made to this matter this morning and a large number of students in the gallery saw it as a joke. Here is one of the leaders in our community flagrantly breaking the law and boasting about it. As far as I am concerned, that is despicable behaviour which ought to be condemned.

The member for Braitling mentioned the sad passing of Mr Ted Marron in Alice Springs recently. During the last 10 years or so, I came to know Ted rather well. He was my next-door neighbour at my office in Alice Springs for quite a few years and I grew to admire him greatly. He was a thorough gentleman, and he contributed quietly but substantially to a great many organisations around Alice Springs. The member for Braitling gave a pretty thorough rundown but I, too, would like to note the passing of Ted Marron with deep regret. We have lost another great Territorian.

Recently, a friend of mine, who lives and works with Aboriginal communities in the top end of South Australia, approached me. He said: 'Once upon a time, a host of Aboriginal people from the north of South Australia saw Alice Springs as their main base. They came into the Alice and spent their money on buying goods and supplies and so forth from the Centre'. He went on to say that, now that there are facilities at Marla, and with the South Australian government improving roads in the area, the tendency is for those Aboriginal people to travel over the better roads and head that way. I responded by saying that, given the number of people involved, the cost of improving roads to encourage those people to travel to Alice Springs might well be prohibitive. He spoke particularly about the road to Mt Connor, which runs along the border just on the Territory side, and expressed the view that, if it could be looked after a little better, many more people might come into Alice Springs from those areas, thus contributing to its economy. I suggest that the Minister for Transport and Works might like to consider that. I foresee some financial difficulties

but I was asked to raise the matter. I have done so in this House and will do so with the minister.

Mr Speaker, last year my son did his matriculation at Sadadeen Secondary College. He was more or less totally unmotivated for the whole year. As a former teacher, I found his lack of ambition and so forth extremely frustrating and we had a few tete-a-tetes during the year. I remember telling him at one stage: 'Well, this is your last year. You can go out and earn yourself a living because you are not putting in any effort'. At the end of the year, I got the message that he would like to go back to school and repeat matriculation because he wanted to become a paediatrician. It was quite a shock for me to learn that, from wanting to be an apprentice in the air force at one stage during the year, he wanted now to become a medical specialist.

From my own experience, I did not believe that, if he went back to Sadadeen Secondary College, he would succeed in achieving the 87% that he would need. He had gained 50%, and that was more than he really deserved. I decided to seek out a private school with which I had some small connection in my student teaching days - Prince Alfred College in Adelaide. At some considerable financial expense, we were able to get him into that school, and he is working now like a beaver. That delights my heart. It was almost unbelievable that he topped the school in his first chemistry test and he has had 100% for his chemistry practical tests, and other things for which I always felt he had some capacity. He is really working his butt off and that is good.

I believe the Minister for Education would be particularly interested in this. After the first week, I rang to see how my son was getting on. He said that the school is no better equipped than is Sadadeen Secondary College and that, at that stage, he could not see that the teachers were outstandingly better than the teachers he had at Sadadeen. He said that the big difference was in the students' attitude. He made this comment in relation to the teachers at Sadadeen Secondary College: 'I can understand how teachers became browned off when the kids don't care'. Those points are relevant to our education system. The student attitude is a key to the success of our education system. That comes right back to the attitude of the teachers, and I believe the principals play a vital role. However, it comes back also to parent and community attitudes. If we want to have a better education system, we need to work on the attitude of our students. I have seen such a marvellous change in attitude in my son. However, it is early days. It is only the fifth week back at school. If he continues in this way, he has a very good chance of achieving his aim.

I felt that his comments were worth sharing with the Assembly. Maybe we can examine how we can improve the attitude of students in our schools. As an illustration, I spoke recently to a young lady whose parents are known to me. I met her and her mother in a supermarket in Alice Springs and asked how she was going. She is doing her matriculation and she wants to be an engineer in the air force. She said: 'I am one of only 2 girls who are studying maths 1 and 2 and everybody keeps saying that we will never pass maths'. She told me that she is determined to prove them wrong. That is the mettle that the lass has and I hope that she will succeed. That is in total contrast to attitude in the Adelaide school my son attends, where the students expect to pass. They do not expect simply to scrape through. That attitude is so much more helpful.

Education is vital to the Territory and is the key to the general raising of standards. However, we must help one another to gain the

determination to get on with the job and to stick at it. When you fall down, you pick yourself up and keep on going. It is much easier when everybody is of the same mind. I appreciate that a private school has certain advantages over a public school. If a student does not want to work and has a disrupting influence, he will be told to find another school. Perhaps there would be improvement if education were a privilege rather than a right. If it were closed to those who were not prepared to knuckle down and there was a reservoir of people trying to gain admittance, the students might work harder. That seems to be the Asian experience.

Mr REED (Primary Industry and Fisheries): Mr Speaker, tonight, I would like to speak about Mimosa pigra, which poses a major environmental threat in the Top End and in some countries overseas, particularly Thailand. It was with some concern that I noted a statement delivered by Senator Richardson to the Senate on 6 December 1989 to the effect that the Territory has not put a penny into the fight against Mimosa pigra. There was an article in the Weekend Australian of last weekend, attributed to a CSIRO scientist, which called for more funding to fight this considerable problem. Senator Richardson's comments in the Senate last December verged on misleading the House. In answering a question from Senator Tambling, Senator Richardson said, in reference to the Northern Territory government, that it would not put in a penny more and that it has put in nothing towards the fight against Mimosa pigra. Nothing could be further from the truth.

The mimosa problem can be traced back initially to neglect by the Commonwealth government. In the years before self-government, repeated warnings were given about the danger that Mimosa pigra posed. In 1966, the plant was declared a noxious weed by the then Commonwealth government. Attempts at full-scale eradication were proposed to the Commonwealth government in 1974 but, unfortunately, resources were not provided. If resources had been provided at that time, perhaps eradication of Mimosa pigra might have been achievable.

Following self-government, the Northern Territory carried the burden of mimosa control. It took the initiative of funding a biological control program in conjunction with the Division of Entomology of CSIRO. That program commenced in 1979. It has been only since 1984 that the Commonwealth government, through the Australian Centre for International and Agricultural Research, has made any significant input to controlling mimosa. The emphasis has been directed strongly towards foreign aid, particularly in relation to outbreaks of Mimosa pigra in Thailand.

More recently, the Australian National Parks and Wildlife Service has promised funding for 2 technicians to assist with rearing biological control agents against mimosa in Darwin. To date, sadly, this has not come to fruition. It is simply another example of many promises made over the years that the Commonwealth has not fulfilled, not only in relation to Mimosa pigra, but in relation to a variety of problems in the Northern Territory. The Weeds Branch of my Department of Primary Industry and Fisheries currently employs 4 scientists, 4 technical officers and 4 technical assistants, based in Darwin, who spend an average of 75% of their time on Mimosa pigra control. Also, 1 scientist, 3 technical officers and a technical assistant are based in Katherine and spend an average of 10% of their time on Mimosa pigra control. In addition, the Territory government, contributes significant amounts of money towards a senior research scientist and a technical assistant based at CSIRO in Darwin for work on the biology and hosts specificity of insects imported into Australia for mimosa control and towards a technical officer and assistant based in Mexico working on the biology of mimosa-feeding insects and pathogens.

In 1982, the Territory government introduced a herbicide subsidy scheme through which we meet 50% of the cost of approved herbicides used by land-holders to control mimosa. Also, we initiated a spray trailer loan scheme to overcome the equipment limitations which land-holders were experiencing in trying to implement and utilise that program. In 1985, the herbicide subsidy was expanded to meet 50% of the costs of aerial spraying operations by land-holders against mimosa.

Recently, this government has funded the placement of a weeds officer in Jabiru whose major task will be coordinating the attack on mimosa in the Kakadu region. Currently, the department has an operational budget of approximately $200 000 annually for the survey and chemical control of Mimosa pigra and an additional $16 000 for research into the chemical, biological and ecological control of mimosa. In all, this amounts to an annual financial contribution by the Northern Territory government through my department of over $750 000 directly towards the control of Mimosa pigra. This figure is substantially greater than that contributed by the Commonwealth.

A report in the Weekend Australian of 24 February suggests that Senator Richardson will be making an announcement regarding future funding for the fight against mimosa and I hope that this report is accurate. It is well past time that the Commonwealth took the matter seriously and provided a more positive contribution towards the fight to control mimosa. Let us not be mistaken: mimosa is a critical environmental problem for this country and it must be brought under control. However, to do so requires the fullest cooperation between the governments and the agencies involved. We must have a bipartisan approach to the problem.

I certainly support every effort that we can bring to bear to control Mimosa pigra. The research work being sponsored in Thailand is equally important. In fact, the senior weeds officers of my department are directly involved in this project and there is a direct benefit, of course, from the work that is done there inasmuch as biological control agents which may be proven in Thailand may in turn be found to be suitable for use in the Northern Territory. However, obviously I am saddened by the attitude of Senator Richardson and the way he has misrepresented the effort the Northern Territory has put into the control of mimosa. Of course, he also completely overlooked the lack of action undertaken by the Commonwealth over many years. I am hopeful that his attitude will change and I am hopeful also that he will stand by his recent commitment to commit more money to the program.

Secondly, I would like to turn to a document which has been circulated by the Northern Territory AIDS Council, which calls itself a broad-based community AIDS organisation. It is titled 'HIV AIDS Discrimination and Law Reform in the Northern Territory'. There are some issues in this document that have been aired this week on radio and television news and also in the written media. I would like to comment on them from the point of view of my responsibilities as Minister for Correctional Services.

A couple of matters are raised in this document in respect of AIDS in prisons. Principally, they relate to recommendations to provide inmates of prisons with condoms and with materials with which to clean syringes. Mr Speaker, it has been the policy of this government and the Department of Correctional Services not to provide either condoms or, indeed, chemicals to clean syringes because it is believed that to do so would be to condone activities in our prison system which we have spent many years and much effort trying to prevent occurring in prisons. The document states that:

'Condoms are not currently available in NT prisons yet the National HIV AIDS Strategy states that condoms should be freely and anonymously available to all prisoners'. I just cannot support such a proposition. As I say, it would only condone actions that we seek to prevent in our prisons. Currently, our prison system is free of AIDS. We have no HIV or AIDS-positive prisoners in our prison system and I think that we should do everything in our power to endeavour to ensure that that situation continues.

The document suggests also that prisoners should be provided with appropriate information on and the means to sterilise equipment used to administer drugs. I think that the appropriate information is that we do not condone the use of drugs in our prisons. That being the policy, there is no need to provide chemicals or other equipment with which to sterilise syringes. While I am the responsible minister, there is no way that I will even consider providing either condoms or equipment with which to sterilise syringes to prisoners in our prison system.

Mr Speaker, I do not particularly care that the Australian Institute of Criminology, in its publication 'Trends and Issues Report', has recommended that prisoners be given bleach to clean their syringes and condoms to stop the spread of AIDS. It seems to me that, if you give prisoners either of those things, you are encouraging the spread of AIDS. It is a direct contradiction in terms to consider the alternative. Apart from the well-being of prisoners, we have to consider the well-being of the prison officers who have to oversee and supervise prisoners. It is only fair that their rights and the conditions under which they work be taken into account in relation to the formation of policies on the matters dealt with in the document, specifically the issue of free condoms and syringes. I do not support the suggested approach in any way.

Mr Speaker, I have every sympathy for anyone who has the AIDS virus. However, we have to bear in mind that it can be contracted in many different ways, one way being through male-to-male sex and another being through the use of intravenous drugs. I cannot condone either of those activities.

One aspect of the document which particularly disturbs me is its recommendation that the age of consent for male homosexual activity be lowered from the current age of 18 years to 16 years, in line with the age of consent for females in heterosexual activity. Personally, I find that suggestion absolutely abhorrent. I cannot for the life of me see how it fits within the scope of a document like this, which purports to promote the well-being and the health of the individual. It has nothing to do with the control of AIDS. I would think that, if the age of consent for homosexual activity is set at 18 years, then it has been set at 18 years for a very good reason, and that is to protect kids, males under the age of 18 years. I am of the belief that teenagers are particularly prone to being influenced and, if the age has been set at 18 years, I fully support that. Further, I am absolutely disgusted that such a proposition should be put forward in a document such as this, which purports to be prepared on the basis of protecting the health of the individual. I do not see that it contributes to that in any way. I cannot support or condone the activities or the suggestions in relation to a reduction in the age of consent in any manner whatsoever.

Mr BELL (MacDonnell): Mr Speaker, I rise in this evening's adjournment debate to pay tribute to the life, the music and the family of Isaac Yamma. It is unfortunate that, because Isaac Yamma was a traditional Pitjantjatjara man, it is very difficult to use his name. I feel comfortable about using

his name in this Assembly but I can think of many circumstances in which I would feel uncomfortable to the point of refusing to use it.

I am sure that Isaac was known to many people here. Increasingly, a number of Aboriginal bands from central Australia have been coming to Darwin to play their country and western music and I would be very surprised if Isaac's ebullient personality had not impressed itself on a few people in Darwin. He brought a great deal of joy to the lives of a great many people through his music. Through his music, he inspired many young people, in much the same way as Gus Williams has inspired many young people, to take a keen interest in country and western music. I can do no more than pass on a few of the lyrics of his songs.

Some of his songs are about Jay Creek. 'Ngurra panya Jayala' would be a song that not one kid from Docker River to Hooker Creek to Santa Teresa would not know. Then there is that particularly poignant song which he wrote and which was recorded by Bobby Randall, who was one of the part-Aboriginal kids who were taken up to Croker Island when they were young, in the days of what we now recognise as a pretty disastrous social policy. This wonderful song in Pitjantjatjara is called 'tjitji apakatja ugayukunya kasingu' ... my half-caste child they've taken away. I think Bobby sings it as 'my brown skin baby they've taken away'. The chorus features the keening, wailing sound which is involved with Aboriginal funerals and the time of loss when people go away from home. It always rings in my mind when we talk about community welfare issues here. There is a line in the song, 'wilpiyangku kasingu', which translates roughly as 'the welfare people took him away and we are very sad about it'. It is a terrific song, deeply moving, and poignant with social comment. Isaac gave us those songs, and Isaac died.

The funeral, which was held at Jay Creek a couple of weeks ago, drew people from all over the centre and all over the Territory. I think that some of the relations of the member for Arnhem went down there, because they had performed on stage with Isaac Yamma. I personally feel his loss very keenly. More than once, my spirits were lifted by his cheerfulness. I saw him in deep sorrow when one of his sons had passed away, but that was not his usual frame of mind. He was always ebullient, cheerful and happy. He brought great joy to the lives of many people and he will be sadly missed.

Mr PERRON (Chief Minister): Mr Speaker, this afternoon I would like to touch on a couple of matters. The first concerns a letter received from the Prime Minister. It took me rather by surprise, being somewhat unexpected and, I think, particularly uncalled for. I have no doubt that it was written for the Prime Minister's own political purposes and I will table a copy of the letter, Mr Speaker. Its subject was the Northern Territory Aboriginal Sacred Sites Act, the new act which was passed last year amid some controversy.

The new act came into effect during the middle of last year. I understand that it has been operating quite satisfactorily. Indeed, a short report by the Aboriginal Areas Protection Authority is attached to one of the letters which I will table. The report indicates that applications are flowing and are being processed according to the act and that there do not seem to be any particular problems. Applications in relation to some women's sites are being held for the time being until the women's component of the new authority is established. Honourable members will recall that, as an interim measure, the old authority was to continue until a new authority, with the ability to form a women's group to consider women's sites, could be appointed. A number of applications have been received

which cannot be seen by men. Of course, the old act did not allow for that possibility.

To return to my original point, after 6 or 7 months of operation of the new act, the Prime Minister has written to me out of the blue. In effect, his letter says: 'If you guys act in some irresponsible way in relation to these registrations of sacred sites in the Northern Territory, beware! The Commonwealth will step on you'. I thought that was rather uncalled for and rather unwarranted. I will read the last couple of sentences from the Prime Minister's letter, Mr Speaker. He says:

> ... you will be in no doubt that the Commonwealth will be monitoring most carefully the operation of the act to satisfy ourselves that it is not used in any arbitrary manner that does not provide genuine protection to Aboriginal heritage.
>
> I certainly hope it will not come to a position where our 2 governments appear to be at loggerheads on Aboriginal heritage matters. There should, however, be no misunderstanding of the Commonwealth's position.
>
> Yours sincerely,
> R.J.L. Hawke

That is pretty clear stuff, Mr Speaker. I thought that honourable members might like to be made aware that the Prime Minister has acted in this regard. I think it is totally uncalled for. There was no precipitous item which suddenly raised the matter. It just came out of the blue. I have some suspicion that it may have been connected with the fact that a federal election was in the making. The letter was dated 15 January. The Prime Minister would have been well aware that he would be calling an election in the not too distant future and I would think that his letter was probably distributed to a select group of addresses in the Northern Territory, most of them in remote areas.

I wrote back to the Prime Minister, as honourable members might imagine I would have done, pointing out to him that, indeed, the new act was working very satisfactorily, we understood to everyone's satisfaction - sorry, not to everyone's I am sure because there are still protagonists who say that we should not be in the field. I pointed out that it seems to be working satisfactorily and that, indeed, the Northern Territory legislation is the most comprehensive in Australia. I said that perhaps, instead of threatening the Northern Territory that the Commonwealth act would be used if we stepped out of line in any regard, the Prime Minister might in fact prevail upon the states of Australia to look at the Territory's lead in this regard instead of rattling the sword at the Northern Territory. As may be imagined, I did that with due taste as one should in a letter to the Prime Minister. I table those 2 letters, plus an attachment.

I move on to other matters political, and also in regard to Aboriginal affairs in this instance. Yesterday, of course, saw the federal Leader of the Opposition pass through the Northern Territory on his campaign for the coming federal election. I have been keeping an eye on what questions he has been asked by the media and his responses, because that is of keen interest to us all. I am very encouraged by what the federal Leader of the Opposition has been saying about what his attitude towards the Northern Territory will be on his assumption of authority in Canberra.

My attention was caught by a question put to him by one of the reporters and, unfortunately, in this instance, I cannot identify the reporter. However, the question concerned the Coalition's policy on Aboriginal affairs and the fact that of total cuts, which I think amount to $2900m, proposed by the federal coalition parties, some $100m will come from Aboriginal affairs. The federal Leader of the Opposition pointed out to those who are going crook about that proposed cut that it is, in fact, less than the growth in the funds allocated to this area of the budget last year - less than the growth. However, in following up that line of questioning, one reporter said:

> So it is to streamline the bureaucracy. Where do you stand then on your policy of handing back the Northern Territory Land Rights Act to the Northern Territory government, knowing full well that the Northern Territory government has done everything in its capabilities to block any land claims that are made by Aboriginal land councils in the Northern Territory and acts in almost all of their parliamentary powerful ways to act against the intentions of the Northern Territory Land Rights Act?

That was the question a reporter put to Mr Peacock. At this stage, I will not bother with his response.

I would like to make the point that I thought it a particularly unfair question to throw at the next Prime Minister because he probably would not have been aware of all the details of the situation in the Northern Territory with regard to the history of the Land Rights Act. I would like to place on record for the benefit of the reporter, although he or she will probably never hear of it or read it, that in fact the Northern Territory has not used all of its capabilities to fight every aspect of the Land Rights Act or to fight every land claim. As I have pointed out on a number of occasions in this House, the Northern Territory government has supported some land claims, has not opposed certain land claims, has opposed parts of some other land claims and has very strongly and, sadly, expensively opposed some other land claims. To make the statement that we have done everything in our power to frustrate the intentions of the act is absolutely untrue.

As part of the Land Rights Act package, we have legislated for a system to enable closure of seas off the Northern Territory coast. We have legislated for a system of permits to operate on Aboriginal land in the Northern Territory. These are steps that the Northern Territory government has taken, in cooperation with the federal Land Rights Act, and I take exception to this reporter's bold and inaccurate statement made in these forums. I guess that, sadly, like ourselves, the federal Leader of the Opposition is subject to gross inaccuracies stated by reporters in putting questions. It makes the job that much more difficult. We are happy enough to respond to questions that are rational, reasonable and at least honestly asked, but those that are inaccurate make it particularly difficult.

On the same subject of questioning of the federal Leader of the Opposition by reporters, the question of the Coalition's attitude to the Darwin Airport was raised, and the federal Leader of the Opposition said that the contracts would proceed, and that they would envisage that the airports would be sold off to private enterprise. A local reporter said that it was her understanding that the Darwin Airport is a non-paying proposition because, even when the Northern Territory government was talking about borrowing money and getting the private sector to build the airport, prior to its being given to the FAC, the Northern Territory government envisaged a landing tax. Indeed we did, at that time. In our frustration

to get a terminal for Darwin Airport, we certainly said that we would arrange to have the terminal constructed. We said that, if the Commonwealth gave us a certain amount in funds, we would see private enterprise coming to the party or loan funds coming into it, and we did see it being paid for by a head tax.

The head tax that was mentioned by my colleague, the Minister for Transport and Works at the time, was up to $8. The reporter put the question to Mr Peacock saying that:

> It was such an unattractive proposition that the Territory government was talking about, that if private enterprise did develop it, it would have to have something like a $10 to $20 head tax each time you used that airport.

That is just a fabrication, a complete fabrication. Of course, sadly, the federal Leader of the Opposition would have had the disadvantage of not knowing that we were talking about an $8 head tax and that the reporter had invented a $10 to $20 head tax, because all those questions are out the window anyway. He would not have bothered to try and brief himself on a matter like that. It was irrelevant anyway, because we are not building the airport. The FAC is. But the question was grossly inaccurate.

In addition to that, I understand that the head tax of up to $8 which we had calculated was determined on the basis that landing charges were not increased, and that no new peripheral charges were introduced at the airport. Contrary to comments and statements made by Senator Collins at the time when the FAC was given the job of building the Darwin terminal, that no additional taxes and charges related to the airport would be imposed, I am told that not only have additional taxes and charges been imposed on the users of the Darwin Airport, but that landing fees have been increased. And that was not part of the deal. It is a shame that we cannot have rather more accuracy in these matters.

It is very disappointing to listen to some of the information put out by the media. Whether it is getting worse because there is an election campaign under way, I am not sure. Perhaps it is. But one can turn on the TV set at just about any time - and the newspaper is not much better - and pick up glaring inaccuracies and distortions and, no doubt, some of them are deliberate because we are playing pretty heavy politics at the present time, federal election stuff. But I strongly urge some of the reporters in the Territory to take a really good, hard look at themselves and some of the stuff that they are writing, some of the questions they are posing on the talkback programs or interview programs, and to ask themselves if they are doing a really honest job. Is their attitude towards the job really honest in trying to elicit information on behalf of their readers or are they, in fact, showing gross political bias? I ask that because some arms of the media reek of it. Their political comment reeks either of a lack of homework or of political bias in some instances.

In this regard, I do quote the ABC 7.30 Report, because it is particularly guilty in my opinion, and the treatment of the Groote Eylandt education issue would be a good example of that. Treatment of some recent issues has been nothing short of a disgrace.

Mr HARRIS (Education): Mr Speaker, perhaps I could continue on from the remarks of the Chief Minister. I was very interested in his remarks, particularly those about the attitude of some reporters. The ABC's 7.30 Report was referred to and, as presented over the last week, the matter

in relation to Groote Eylandt has indeed put at risk the total credibility of the 7.30 Report. I believe that heads have to roll as a result of that particular exercise. Ample warning has been given to the producers of that particular program. Information was provided to them, which has not been acted upon, and they really do stand condemned for the way in which they have handled this whole exercise.

The ABC has a news procedures handbook, which I presume reporters have, and the aims of the ABC are spelt out very clearly in that handbook. I will read them out because they cover the very points that the Chief Minister has just raised:

> Our aim is to broadcast and televise news essential as a service to the people. Our news values do not always coincide with those of the popular press. We aim to provide news of which the people ought to know if they are to take their place as active members of the community. We must be accurate, objective, impartial and balanced, and always in good taste. We seek the progressive news of society, rather than the ephemeral, sensational news of the day. We exclude nothing, but we evaluate everything. We do not exclude crime, but we do not use crime stories simply to attract listeners. We look for social impact in courts and crime stories. We are not ambulance chasers, but accidents, fires, etc, are often real news. We are not muckrakers, but there is no ban on responsible, investigative reporting.

Mr Speaker, I would agree with the aims as spelt out in the ABC handbook. They are very clear, and I believe that those aims should be upheld. They have my general support but, in the case of the 7.30 Report, those aims would appear very clearly to have been thrown out the door.

On that particular issue, I have written to Mr Travis, as I mentioned this morning. Also, I have written to the Managing Director of the Australian Broadcasting Corporation, Mr David Hill, and that letter, dated 1 March 1990, reads as follows:

> It was with great concern that I wrote to the National Editor of the 7.30 Report, Mr Murray Travis, this morning to complain about the treatment handed out to Northern Territory teachers and officers of the NT Department of Education by the Darwin edition of the 7.30 Report this week.
>
> The letter was relayed to Mr Travis and to the head of television in Darwin, Mr Bill Fletcher, by facsimile transmission this morning. The case I outlined was simple to verify, and the consequences of your corporation's continuing to ignore the issues I have raised do no credit to your organisation or your employees.
>
> Despite my efforts to present a full and frank picture for consideration by the ABC hierarchy, I have not been contacted in regard to this matter, nor has the Secretary of the Department of Education whose telephone contact number was included in my letter.
>
> I trust my complaints, which I placed on record in the Legislative Assembly of the Northern Territory for the third day in a row today, have not fallen on deaf ears yet again.

My letter to Mr Travis is attached. I look forward to your consideration of the matter and a rapid rectification of the situation.

Yours sincerely,
Tom Harris

In light of the information which I have presented to the House, to the producers of the 7.30 Report, to the head of ABC television in Darwin, to the National Editor of the 7.30 Report and to the Managing Director of the ABC, serious action must be taken. First of all, there must be apologies and retractions and a full explanation by the Darwin edition of the 7.30 Report which should be relayed by ABC radio in the same way that the 7.30 Report story was relayed on Tuesday morning. Secondly, among those responsible for the broadcast of the 7.30 Report in Darwin, there are staff accountable for the disgusting performance this week and, as I said at the outset, heads must roll.

Turning to another subject in my portfolio, over a period of time, there has been a great deal of comment about teachers throughout Australia. Unfortunately, much of that comment has not shown teachers in a very good light. I believe that has occurred as a result of the actions of a few very active, radical teachers within our system who really should not be in the teaching profession. I think we can identify teachers in that particular category. Another factor is a general change in attitude to appearance. I refer here specifically to dress standards whereby thongs and t-shirts are acceptable in some areas. That really does nothing to enhance the image of teachers in our society. Some years ago, teaching was a respected and sought-after profession. People wanted to be teachers. They were held in very high regard in the community.

In recent times, that situation has changed and the teaching profession has been going through a very difficult period. I am sure that all members are aware of that. In some states, severe industrial action has been taken. I need refer only to the situation in Victoria and New South Wales where strike action has been carried out on a regular basis. A great deal of aggressive public comment has been made in relation to teachers generally. In many cases, some of that comment is not well-founded. I think the situation is changing. We do have teachers who are committed and dedicated. I believe that we must recognise them and assist them to elevate the profession to the respected position it once held.

Our problem - and this is the case in all the states - is attracting young people to enter the teaching profession. The salaries of teachers are not all that high. That matter is being addressed by governments throughout Australia at the present time. Today, there was a huge hook-up of teachers right throughout the nation to discuss this very issue. The whole matter of salaries is set down in an industrial process and they have to go through that process. It is unfortunate that, whilst most states and territory governments are working towards improving the salaries and conditions of teachers, the federal government is not really playing the game. To demonstrate that, I would like to read a letter which was written by Dr Terry Metherell, Minister for Education and Youth Affairs in New South Wales, to the federal minister, Hon John Dawkins:

My dear Minister

We share a common commitment to seeing our teachers receive an early and significant salary increase involving a restoration of their

status and self-esteem, and an improvement in the effectiveness and efficiency of schools. Therefore, it is with sadness that I note the advice contained in your letter of 23 October 1989 that the Commonwealth government proposes only to supplement its funding of government schools for an amount of up to 6.1% of salary increases under the current round of wage negotiations.

It appears from this decision that your government is not prepared to help meet the financial implications, including salary increases above inflation, involved in the implementation of the structural efficiency principle. For its part, the New South Wales government, in negotiations with teachers in this state, has and will continue to adhere to all aspects of the principle and seek to negotiate significant salary increases assisted by productivity improvements.

The inadequate financial assistance by your government to date contrasts markedly with the statements made by you on Australia Day. In that address, you indicated that the current award restructuring process should be used to redress the general imbalance of salary levels in different occupations in order to attract and retain quality teachers. You also stated that teachers' salaries must be overhauled and significant increases provided to those areas where disparities were greatest.

However, while your statement seemed to lend general support to the Australian Teachers Union salary benchmark proposals that seek Australia-wide teacher salary increases that are substantially in excess of 6.1%, your government is also withholding the financial means by which part of these increased salary costs can be met. The ACTU has endorsed the Australian Teachers Union position and the New South Wales Teachers Federation has filed an award application consistent with those salary benchmarks. To date, there has been no sign from you or your government of a willingness to help meet these costs at a time when state budgets are under immense pressure and when New South Wales has suffered Commonwealth cuts of $870m in the last 2 years.

Given these facts, it is difficult to understand how the Commonwealth government can generally endorse salary increases and specific initiatives such as the introduction of advanced skills teacher positions whilst, at the same time, placing a clearly inadequate ceiling on its own financial contribution to the states through the supplementation payments or other avenues such as the Premiers Conference. This is particularly so when strenuous attempts are being made in all states to move forward with award restructuring negotiations beyond the present 3% impasse.

The Commonwealth government must appreciate that the full financial burden of the outcome of award restructuring cannot be met by the states alone. This point has been clearly acknowledged in the opening address by the President of the Australian Teachers Federation, Di Foggo, at their recent annual conference in Darwin. The New South Wales government is already committed to funding an initial 3% salary adjustment for school teachers that alone represents an outlay of over $56m. Your government cannot now ignore its national financial and economic responsibilities for award restructuring.

Mr Speaker, there are another few paragraphs. I will table that letter. I would like to say that, as state ministers and state governments, we are doing our part to improve the situation as far as teacher salaries are concerned. We have to attract teachers into our system and they do indeed need greater assistance financially than they are getting at the present time from the federal government.

During the course of another debate today, I commented on a report prepared by the Schools Council for the National Board of Employment, Education and Training. It related to the White Paper that is the national policy on education and which is a disaster. I do not have time to comment on particular matters raised in that paper. Suffice it to say that even the federal government's own council is very critical of certain elements. I have time to read out one comment:

> The Commonwealth White Paper on Higher Education has a number of important implications for the future preparation of teachers. Firstly, the press for the consolidation of institutions has led or will lead to the amalgamation of a number of colleges of advanced education, mainly concerned with teacher education, with existing universities. This could result in decisions about resources for teacher education being made in the much larger context of the local institution's needs and priorities. As a consequence, this would lead to a reduced emphasis on teacher preparation.
>
> Institutions, should they take this line, would be supported by the lack of explicit attention given to teacher education by the White Paper. Traditionally, teacher education has lacked status in major universities, and the amalgamations leading to fewer and larger institutions could reduce the voices of those arguing its case unless the Commonwealth itself gives teacher education a higher rating in its guidelines for institutional profiles.

The point that is being made is that there is a general downgrading and a very real threat to the dollars that should be flowing into teacher training. In some cases, the federal government is proposing lowering the entry standards for teacher training. We are seeking to maintain high standards in teaching. We need good teachers and we also need to lift their standing in the community so that we can attract our young people into that profession. It is a good profession and should be seen in a good light in our community.

Mr TIPILOURA (Arafura): Mr Speaker, I would like to make a couple of comments in relation to my question to the Chief Minister about the Darwin police cells. I would like to comment also on the Peacock policy on unemployment.

In answer to my question on the Darwin police cells yesterday, the Chief Minister told us that the government was examining the possibility of improving cell design, having video monitoring of persons in cells and having non-police carrying out monitoring to free police for police work. In light of the Muirhead recommendations, such moves would be welcome. Nevertheless, a stronger statement about the examination of these possibilities would be encouraging.

One very important matter was not addressed: sobering-up shelters. On 15 February 1989, 12 months ago, when speaking to the tabling of the Interim Report of the Royal Commission on Aboriginal Deaths in Custody, the Chief Minister said: 'Sobering-up shelters are operating effectively in Alice

Springs and Tennant Creek. Similar facilities are expected to be operating in Darwin and Katherine in the near future'. He said, 'in the near future', some 12 months ago, but there are no signs of them materialising yet. Let us not wait for a disaster before we move on this matter. The Muirhead Report made many good points, but perhaps the best was this: if you want to stop Aborigines dying in jail, keep them out of jail. Mr Speaker, it is simple but effective.

Maybe we should be talking about spending more money and opening up sobering-up shelters instead of new police cells. Speaking from my experience as a policeman a few years ago, I remember working in the Darwin Mall. We picked up a lot of intoxicated persons, Aboriginals and Europeans, and placed them in cells for at least 6 hours. We should be looking at a sobering-up shelter because people could be taken there, treated, fed and given a rest before going home when they feel okay again.

The other problem is the availability of liquor from outlets in the Mall and in the town area. Perhaps we should be looking at restricting the liquor trading hours to the evenings or to no sales at all. That could help to solve the problems which the shopkeepers in the Mall are complaining about. The police do not want to be looking after people who have had too much to drink. They should be freed up to do more police work. The shelter which was promised 12 months ago, and which is badly needed, would help to solve the problem.

I would like to say also that the government's quick response to the complaints of the business people in the Mall compares unfavourably with its response to the requests from people in my electorate on a similar issue. Nguiu community on Bathurst Island has a population of 1200 to 1500 and, for some years now, we have been asking for a full time police presence. We have 2 police aides who carry out their jobs well and perform a much needed role in our community, one which I performed myself before taking up politics. However, there are limits to what those police aides can do, particularly in view of family and community pressures placed on them in relation to rules on drinking. They do their best but honourable members should realise that the pressures on them are much greater than pressures on the police in a European community. The community recognises this pressure, and that is why it has continued to ask for greater police support.

Mr Speaker, I know that 2 police officers are stationed at Pularumpi on Melville Island, but it was thought that the community would grow larger than it has grown. I am not asking that those officers be moved, but a permanent police presence in the community on Bathurst Island is much needed.

I now turn to the attempt by the Minister for Labour, Administrative Services and and Local Government to defend the Liberal Party policy on unemployment. Mr Speaker, as we all know, Mr Peacock has said clearly that he will cut the dole to people after 9 months. He said also also there would be no more CDEP programs. In addition, he would cut $23m from the programs of the Department of Employment, Education and Training which relate to the Aboriginal people. To finish off the overall attack on the needs of Aboriginal people, the Liberal economic policy plan phases out SkillShare, a $61m program, cuts the Australian Traineeship Scheme by $15m and cancels the industry training program worth $36m. As you can see, Mr Speaker, the Liberals plan to save money by cutting unemployment benefits, while cutting out training schemes which are helping the unemployed to obtain work.

The minister talks of special categories and guarantees that his constituents and mine will not be affected. Mr Speaker, I find that hard to believe. How can we trust Mr Peacock? First, he brings down policies which attack those in need, to try and show how tough he is. Then, as soon as someone tells him that he might lose some votes, he makes a special category. I am afraid that, if Mr Peacock takes over, Aboriginal people in the Territory and elsewhere in Australia are in for worse times. What is needed in Aboriginal communities in the Territory is not cuts to employment programs but increases. More training and more jobs are desperately needed. I know, and other members know, that government work programs are not the whole answer. We need economic development to provide more jobs in the communities. However, whilst they do not provide the whole answer, CDEP and training programs are an essential part of the answer.

I know that many of the communities in the Territory are concerned about the effects of unemployment. One community which comes to mind is on Elcho Island. The elders of that community want everybody there, especially the younger people, to work for their money. They believe that unemployment is not the way. Maybe the Elcho Island people should think about becoming involved in CDEP. A large number of communities in the Territory have taken up that program which involves working for 20 hours per week for the dole. Perhaps that is the way to go. I support CDEP because it allows the communities themselves to make the rules about how people can work. People can work at their own pace in some situations and, in others, husbands and wives can share the work, with each working for half the total number of hours. Those arrangements are up to the communities themselves. Many of the communities around the Territory which have taken on the CDEP now look much better. Community spirit lifts when people realise that they can look after their own communities and their confidence grows. That has happened on Bathurst Island where I live.

As I see it, the only problem is the range of programs which needs to be put in before the actual scheme itself starts. It is a long process. I think that it takes nearly 6 months before it gets off the ground, and some communities might take a little longer. If the community is smaller, it is much easier to work on. One community which I have visited recently is Kalkaringi, and I was very impressed with it. My last visit was made 10 years ago and the community has really come up well since then. Places like Barunga and Milikapiti have also benefited from CDEP. I think that Pularumpi is taking it up too. More and more communities are now looking at that program, and I believe that it works very well. It is a shame that a coalition government would scrap it.

Mr McCarthy: Wrong again. For God's sake, why don't you read it yourself instead of relying on the word of others?

Mr TIPILOURA: Maybe we will have to wait and see. I know that the minister has to support his Coalition mates in Canberra during the election campaign. I understand that. I will be very disappointed, though, if he tries to defend the Peacock line after the election. However, with any luck, Mr Bob Hawke will be back in the Lodge and the harsh Liberal policies will be history.

Mr McCARTHY (Labour, Administrative Services and Local Government): Mr Speaker, it is surprising to learn that the member for Arafura believes that the Coalition's policy is such a disaster. It is interesting to note that, recently, the federal government has picked up the major aspects of the policy put out by the Coalition and based its own policy on it, at least in respect of unemployment benefits.

The view that is held by the member for Arafura is one that has obviously been fed to him because it does not relate. If he had read the Coalition policy statement and later documents and comments, he would have a much clearer picture of what the Coalition is really on about. Certainly, the Coalition has indicated that, normally, the dole will cut out after 9 months. It has also indicted that there will be other programs in place to pick it up. If the member for Arafura would listen to his people on Elcho Island and hear what they are saying, he would know that they do not like the dole and that they want to get off it. He would take much more notice of what the Coalition is saying and he would know much more about its program for getting people off the dole.

Mr Tipiloura interjecting.

Mr McCARTHY: There are many people around this country, including people on Aboriginal communities, who do not need to be on the dole. Because it is so easy to do, however, they stay on the dole. The member for Arafura would know that himself.

Mr Tipiloura interjecting.

Mr McCARTHY: He has seen people on his own island who have left good jobs of their own accord and picked up the dole immediately. I myself have seen how easy it is for Aboriginals to obtain the dole when they go looking for a job in the CES offices in Darwin and Katherine. The CES officers say: 'It is all too hard. We will put you on the dole'. They do not try to find jobs for those people. The Coalition's policy is designed to get people into jobs. At the end of 9 months, if people have not found work, they will be assessed. If, for instance, you were in a place like Port Keats, where there was not a lot of work, you would be catered for. There is a program to pick you up. It might train you for a job which is available. It might be that there is no job. You are not expected to pack up house in Port Keats to go and live in Darwin to get a job. You probably would not get a job there anyway. There is the capacity, in the Coalition's policy, to pick up those people and keep them on a benefit. The policy is very clear on this matter. There is no danger of the people on Bathurst Island or at Port Keats, or anywhere else for that matter, missing out on unemployment benefits under the Coalition's proposals.

What would be of more interest for the member for Arafura to take up on behalf of his constituents, who largely are Aboriginal, would be the federal government's policy on ATSIC, and the proposals under ATSIC that community governments, of which he has been a member, are not entitled automatically to funding under federal ATSIC policy. They have to fight for it. The honourable member is complaining about people having to show cause why they should continue to receive the dole after 9 months, but he is not concerned about the fact that his community government council on Bathurst Island will have to prove that it is an Aboriginal organisation before it can pick up ATSIC funds. That is disgraceful, Mr Speaker, yet he talks about us supporting our mates in Canberra. At least our mates are our friends. The mates of the member for Arafura are hardly friends, because they give with one hand and take with the other.

The honourable member spoke about no more CDEP programs. Again, he has not read the papers, and he has not read the comments of the shadow minister for Aboriginal affairs, which say: 'Current CDEP started to appear in more populated areas in New South Wales and Queensland, which I believe is taking funds away from the remoter communities which, in my view, have a far greater priority for the available CDEP funds'. I agree with that. CDEP is

not necessarily applicable in places where other jobs are available. Very definitely, it is applicable to the remoter communities of the Northern Territory, and the Coalition's spokesman on Aboriginal affairs has made it clear that CDEP will not diminish. He has said there will be no more, but there will be a redirection of CDEP funds into the remoter areas which, of course, will benefit the Northern Territory and the constituents of the member for Arafura far more than they are being supported now.

There is no intention to do away with industry training schemes, as such. Again, there is talk of redirection, and redirection is required. The honourable member can pick up the headline or the banner at the top of each of the policies and say that is what is intended but, if he read the fine print, it would be very clear to him that the policy is sound and will continue to provide a service to his constituents, and to the constituents of the whole of the Northern Territory at a better level and to a greater degree than has been the case in the past.

Both the Coalition and the Labor Party - and the Labor Party stole this idea from the Coalition - have targeted the under 18s and the 18- to 20-year-olds without dependants in an attempt to get that group of people back into the work force. As has been pointed out by the elders on Elcho Island, even on Aboriginal communities, there are many people who just do not have any need for a job. They have no reason to get a job. I have seen it myself, as an employer in Aboriginal communities, where work has been available. Some people ask why they should work. They say that they are receiving the dole and will lose it if they work. That is just not acceptable, even for Aboriginal people, and Aboriginal people generally do not want it. Certainly, the older people do not. They see the ruination of their young people through that policy. It is too easy and, as a consequence, these young people never work. There is no need for them to do so. They say that they do not have to work, that they get better money on the dole, and they ask why they should get a job as a teacher or with the council or whatever when they have no need to work.

It is just crazy for the member for Arafura to go on in that way, because I know that the majority of Aboriginal people do not think in that way. The majority of Aboriginal people believe that it is necessary to get programs into place to do away with the dole, and this government and the Coalition have by far the best policies for assisting with that. We could go on forever being a country of social handouts, but of what advantage would that be to the population? The fact is that we have to get people back to work, and they have to be productive. We have to be innovative in the approach we take to getting people into jobs. It will require some innovative thinking to get people employed in remote Aboriginal communities. It will not be done overnight, but the people will not lose the dole automatically at the end of 9 months, because there are no jobs there. Where there are jobs, people will be forced into them. But, where there are no jobs, there is no danger that unemployment is likely to go.

Frankly, and I know it is not a popular subject, I like the idea of work for the dole. That is what CDEP entails. If the dole is necessary, something should be given in return. It should not be 'sit-down' money. The people of Elcho Island have stated that clearly and, when the opposition Aboriginal affairs spokesman, Warwick Smith, went to Elcho Island he got the picture very clearly. The people of Elcho Island are very much of the view that the Coalition is on the right track. I do not understand why the member for Arafura would continue with the nonsense that he expressed here this evening.

Mr Speaker, I go back to the innovation introduced by this government, and the innovation of Aboriginal people for that matter, in the very latest of the community government schemes that has been established, again a community government scheme that will not be funded automatically under ATSIC, which the member for Arafura should move to do something about. I refer to the Numbulwar Numburindi Community Government Scheme, the fifteenth community government scheme in the Northern Territory. This scheme, like every other such scheme in the Territory, is an innovation which has built on the experience of the schemes which have gone before it. Such schemes clearly indicate that our legislation, unlike legislation elsewhere, is flexible enough to enable Aboriginal people to govern themselves in as traditional a way as is humanly possible.

The Numbulwar Numburindi Community Government Council is very strongly traditional. There are no formal election processes for councillors. Members of each of the 10 clans will meet and decide who will be their representatives for the coming 3 years. Each year, if requested, there will be a general meeting to discuss the president's and vice-president's performance. The president and vice-president are the only elected members on this council. Again, that was a decision taken by this group. They will appoint their members from each of the 10 clans, then they will elect from amongst those members a president and vice-president whose appointment will be reviewed on an annual basis and, if they have not been performing, they will be kicked out.

I very strongly endorse the way in which this particular community government council has been formed. Like neighbouring Ngukurr at Roper River, it is very strongly in favour of a separate land council in the area. In fact, the boundaries of the community government scheme based on Ngukurr have been changed in order to accommodate the required boundaries of the Numbulwar Numburindi Scheme, and that was decided between the clan leaders of that area. I commend them for that, and I would seek the member for Arafura's support in changing the attitude of his federal mate or mates in establishing a commission that will not automatically fund those community government councils, but that will ask them to come and beg for their funds so that they may survive. It is a matter of grave concern and one that he should take great heed of.

I would like to finish my comments tonight on a matter connected with the RSPCA in the Northern Territory. As members would be aware, the RSPCA has been going through a very difficult time. Late last year, the government received a submission from the RSPCA for support, and that submission has been considered very carefully. During this week, I have taken the decision to provide a grant to the RSPCA in the Northern Territory. It will not go all of the way to meeting what the RSPCA saw as its requirements to get itself up and running in the Territory, but it will provide approximately 50% of the figure it considers necessary. That amount of $34 000, which was announced today, is in addition to the $5000 provided to the RSPCA to keep it going late last year and a smaller amount provided earlier last year.

I have an assurance from the President of the RSPCA that the animal shelter in Darwin will be reopened very soon. He wants to get everything in shape before that is done. I commend the people of Darwin on the support they gave to the RSPCA last weekend. Well in excess of $15 000 was raised for the cause. Also, I have asked the Office of Local Government to negotiate with the RSPCA on ongoing assistance for future years.

Mr SETTER (Jingili)(by leave): Mr Speaker, I table the 15th Report of the Subordinate Legislation and Tabled Papers Committee.

Mr Speaker, whilst I am on my feet, I will take the opportunity to speak in the adjournment debate. I had hoped that I would not have to again raise the matter of the sale of tobacco products to children. This problem has concerned me for quite some time. Indeed, I first raised it on 22 February 1989, just over 12 months ago. I raised the matter again in the Assembly on 19 October 1989. In the interim, I have spoken privately to the various ministers who have been responsible for the Department of Health and Community Services.

In fact, when I raised the matter on the last occasion, the current minister advised that an interdepartmental committee had been established to review the sale of tobacco products and that a Cabinet submission was being prepared which would address, among other things, the matter of the sale of cigarettes to minors. As I indicated earlier, I am surprised and a little disappointed that the matter has not been resolved. This matter is of concern to the community at large, in particular to the parents. They are most concerned also, of course, at the comment by the member for Stuart the other day that he believed that 50% of children in the Northern Territory had a bong sitting on their mantelpiece or in their room at home. It not only concerned them, it made them very angry. The sale of cigarettes to minors is of concern to parents because by far the majority of them do not condone that practice. In the majority of cases, the children purchase the cigarettes without the permission or the knowledge of their parents.

While I am on the subject, I would like to refer to a letter from John Matthews, Director of the Menzies School of Health Research in Darwin, which appeared in the NT News on 20 December 1989. I will quote selectively from it because it is a long letter and I do not want to take up the time of the House by reading it all. He refers to a letter by Mr Peter Lawrence which appeared in the NT News of 15 December. He says:

> Peter Lawrence claims that a ban on cigarette advertising in the print media would prevent freedom of choice. Does cigarette advertising really leave our children free to choose not to become cigarette addicts? The interests of the Menzies School of Health Research, although called into question by Mr Lawrence, are clear in this debate as the school has a statutory obligation to promote improvement in the health of all people in tropical and central Australia. As cigarette smoking is still the most important single preventable cause of ill-health, the school would be negligent if it were now silent.

I move on to another section of his letter:

> Does Mr Lawrence want to hide the fact that tobacco interests have been frantically lobbying governments and journalists around Australia to protect their economic interests? Does he want to hide the dilemma faced by governments when they are asked to legislate against the cigarettes which also provide considerable taxation revenue? These issues are complex. The community deserves to be fully informed and it is not served by those who put up a smokescreen to obscure the health interests and the competing economic interests.

I have been concerned about the uncontrolled sale of cigarettes to minors because there is legislation in respect of this on the Northern

Territory statute books, albeit very old legislation. As long ago as 22 February 1989, I pointed out that the Protection of Children Act of 1904 needed amending. It is exceedingly out of date. It imposes a penalty of £5 for selling tobacco products to children. That is crazy. It needs to be withdrawn, to be replaced by a new act, or to be amended to bring the penalties up to date, or perhaps the provisions need to be incorporated in another act. I know that there are other acts which deal with the sale of tobacco products. There are various ways of handling it.

I am concerned about uncontrolled access by young people to cigarettes. I am not talking about 16-year-olds or 17-year-olds. I am talking about kids of 8 and 9 who are regularly seen at the checkout at the supermarket adjacent to my office. I receive calls from parents and concerned citizens complaining about this. As I indicated on a previous occasion, I discussed the issue with the supermarket managers in my electorate. When first I raised the matter, they said that they were not aware of such a law and did not believe that they were breaking the law. I asked what they thought about the matter. They said that they were in business to sell their products and that, if somebody wanted to buy them, that was fine. However, they said too that, if there is such a law, and it is clear that they are breaking it, they will be happy to abide by it.

When I have raised the matter in the past, some people have said that it would be very difficult to police. They say that the cost of employing inspectors to check on the 100 or more supermarkets in the Northern Territory, the takeaway shops and all the other outlets which sell cigarettes, would be horrendous. The fact is that, if enforceable legislation were in place and if we required the vendors to act responsibly and display a sign in their premises adjacent to where the cigarettes are located indicating that cigarettes will not be sold to minors, I am sure that would be effective. I am quite sure that would result in total cooperation.

I note that the member for Sadadeen is indicating that Woolworths has a sign. If that is the case, it will be that they are required to do that because they are part of a chain. That legislation would apply in one of the states, either South Australia or Queensland. All outlets in the Woolworths chain would have done the same thing. The Northern Territory branches come within the control of a particular state head office which would have told all outlets to put up a sign near their check-outs.

That is all we would need to do. We would simply have to advise supermarket owners that it is against the law, require them to display the sign and to advise their check-out staff to abide by the law. I am sure that we would not need an army of inspectors roaming around the countryside to check that it was happening. I can assure you, Mr Speaker that the matter would be self-regulatory in another way because, if there were a law and if there were a sign, the parents and other concerned citizens, the people who are complaining to me on a regular basis, would note that. If they saw cigarettes being sold to small children, they would be on the telephone to Consumer Affairs or to my office asking that the matter be attended to.

It is a very simple matter but I am concerned and surprised that it has not been addressed already. I did raise it with the minister on 19 February once again and he was fully aware of my intention to raise it in this place this evening. There is one other snippet that I will refer to. It may shock members to learn that, according to figures released by the Australian Council on Smoking and Health, in the first 6 months of 1989,

Australian schoolchildren spent $12m on the purchase of cigarettes. That would buy a lot of cigarettes or at least it would have done so before the current federal government decided to index the tax on cigarettes. Of course, the cost of cigarettes has risen quite dramatically in the last 6 years, as those honourable members who are smokers will fully realise.

I would like to raise one other issue. As recently as a week or 10 days ago, the Minister for Health and Community Services issued a press release indicating that he was considering legislation to control the sale and distribution of kava. As I am sure honourable members are aware, I raised this issue in this place for the first time some 4 years ago, and I expressed my concern about the devastating effect the abuse of kava was having on Aboriginal communities in eastern Arnhem Land. Over the last 4 years, I have spoken on that subject on a number of occasions. I have been told that an inquiry is being conducted to determine the extent of the problem. I know that Ms Kerryn Alexander, who was with the Drug and Alcohol Bureau, produced a paper on this matter about 3 years ago and, some 12 months subsequent to that, there was a further inquiry about substance abuse in the Northern Territory, and a further report was produced. I applaud the inquiry but, while this is all going on, thousands and thousands of people are abusing this particular product.

Kava, when consumed in Melanesia and Polynesia, is consumed in a traditional manner. When I was in Western Samoa last year, in company with the Clerk of this Assembly, we were each given a taste of kava. I had tasted it previously on Vanuatu in ...

Mr Perron: Does it taste good?

Mr SETTER: It tastes terrible. I would not recommend it to anybody. But it is a sedative and, unlike those people in the South Pacific, who consume it in a traditional manner, perhaps daily, but in small quantities, the eastern Arnhem Land Aboriginal people have consumed it in massive quantities and, as I understand a recent report of the Menzies School of Health Research has indicated, there may well be some grounds for believing it is causing quite considerable health problems for those people. When I read the minister's press release of a few days ago, I was delighted that, at long last, it appears that positive action is about to be taken.

Mr SPEAKER: Order! The honourable member's time has expired.

Motion agreed to; the Assembly adjourned.

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